

05-80598

87

PCRB 22
Rev 2/88)

MJQ/SB

DOCKET NUMBER (Tran. Court)

1:99CR00131-014

DOCKET NUMBER (Rec. Court)



TRANSFER OF JURISDICTION

NAME AND ADDRESS OF PROBATIONER/SUPERVISED RELEASEE

FADI HAYDOUS
26969 Rochelle
Dearborn Heights, Michigan 48127

DISTRICT

WD/NY

DIVISION

Buffalo

NAME OF SENTENCING JUDGE

RICHARD J. ARCARA, Chief U.S. District Judge

DATES OF
SUPERVISED RELEASE

FROM

04/08/05

TO

04/07/08

OFFENSE

Trafficking in Contraband Cigarettes in violation of 18 U.S.C. §2342(a) & §2344(a)

PART 1 - ORDER TRANSFERRING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK

IT IS HEREBY ORDERED that pursuant to 18 U.S.C. 3605 the jurisdiction of the probationer or supervised releasee named above be transferred with the records of this Court to the United States District Court for the EASTERN DISTRICT OF MICHIGAN upon that Court's order of acceptance of jurisdiction. This Court hereby expressly consents that the period of probation or supervised release may be changed by the District Court to which this transfer is made without further inquiry of this court.*

June 3, 2005
DATE

Richard J. Arcara
UNITED STATES DISTRICT JUDGE

*This sentence may be deleted in the discretion of the transferring Court.

PART 2 - ORDER ACCEPTING JURISDICTION

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN

IT IS HEREBY ORDERED that jurisdiction over the above-named probationer/supervised releasee be accepted and assumed by this Court from and after the entry of this order.

JUN 15 2005
EFFECTIVE DATE

[Signature]
UNITED STATES DISTRICT JUDGE

FILED
2005 JUN 30 11 P 3:04
U.S. DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
DETROIT

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK
304 U.S. COURTHOUSE
68 COURT STREET
BUFFALO, NEW YORK 14202-3498
(716) 551-4211

6/27/05

05-80598

United States District court
Eastern District of Michigan
Theodore Levin U.S. Courthouse
231 W. Lafayette Blvd
Detroit, MI 48226

RE: Transfer of Jurisdiction
99-cr-131 (14)

FILED

JUN 30 2005

CLERK'S OFFICE, DETROIT-PSG
U.S. DISTRICT COURT

Dear Clerk:

Enclosed are certified copies of the Transfer of Jurisdiction of Fadi Haydous along with the docket sheet, Indictment and/or Information, Plea Agreement and any other pertinent documents from our file.

Please return the enclosed copy of our letter acknowledging your receipt of the same.

Very truly yours,

RODNEY C. EARLY, Clerk



By: S/ Jane D. Kellogg
Deputy Clerk

Enclosures

**U.S. DISTRICT COURT
WESTERN DISTRICT OF NEW YORK [LIVE] (Buffalo)
CRIMINAL DOCKET FOR CASE #: 1:99-cr-00131-RJA-LGF-14
Internal Use Only**

05-80598

Case title: USA v. Kaid, et al

Date Filed: 10/04/1999

FILED

JUN 30 2005

Assigned to: Hon. Richard J. Arcara
Referred to: Hon. Leslic G. Foschio

CLERK'S OFFICE, DETROIT-PSG
U.S. DISTRICT COURT

Defendant

Fadi Haydous (14)
TERMINATED: 03/29/2004
also known as
Freddy
TERMINATED: 03/29/2004

represented by **Seymour Berger**
24901 Northwestern Highway
Suite 53
Southfield, MI 48075
(248) 353-5131
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

Thomas J. Eoannou
Eoannou, Lana & D'Amico
484 Delaware Avenue
Buffalo, NY 14202
716885-2889
Fax: 716-883-2163
Email:
thomaseoannou@lawoffice484.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Retained

ATTEST: A TRUE COPY
U.S. DISTRICT COURT, WDNY
RODNEY C. EARLY, CLERK

By *Rodney C. Early*
Deputy Clerk

Pending Counts

18:2342.F TRAFFICKING IN
CONTRABAND CIGARETTES
(98)

Disposition

Def't is sentenced to the custody of the Bureau of Prisons for 27 months incarceration. Upon release, Def't to be placed on supervised release for 3 years with special conditions. Def't ordered to make restitution in the amount of \$322,500.00 to be paid joint and several. No fine. Def't to pay \$100.00 special assessment. Def't remanded. Court grants Gov't motion to dismiss counts 1 and 101

of the indictment.

Highest Offense Level (Opening)

Felony

Terminated Counts

18:1956-7477.F LAUNDERING OF
MONETARY INSTRUMENTS
(1)

21:853.F CRIMINAL FORFEITURES
(101)

Disposition

Dismissed.

Dismissed.

Highest Offense Level (Terminated)

Felony

Complaints

None

Disposition

Plaintiff

USA

represented by **Anthony M. Bruce**
U.S. Attorney's Office
Federal Centre
138 Delaware Avenue
Buffalo, NY 14202
716-843-5886
Fax: 716-551-3052
Email: anthony.m.bruce@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Allison P. Gioia
U.S. Attorney's Office
Federal Centre
138 Delaware Avenue
Buffalo, NY 14202
716-843-5851
Fax: 716-551-3052
Email: allison.gioia@usdoj.gov

William J. Hochul, Jr.
U.S. Attorney's Office
Federal Centre

138 Delaware Avenue
Buffalo, NY 14202
716-843-5887
Fax: 716-551-3052
Email: william.hochul@usdoj.gov
TERMINATED: 05/14/2004

| Date Filed | # | Docket Text |
|------------|----|--|
| 09/22/1999 | 1 | SEALED INDICTMENT as to all defendants (JMD) Modified on 09/17/2001 (Entered: 10/07/1999) |
| 09/22/1999 | | Count(s) added Fadi Haydous (14) count(s) 98, 101 (JMD) (Entered: 10/07/1999) |
| 09/22/1999 | | **Added Government Attorney William J. Hochul Jr. as to Mohamed Kaid, Ali Kaid, Page Martin, Mohamed Abuhamra, Ali Abuhamra, Khaled Humaisan, Abdo Alawi, Saleh Abdullah, Ali Abuhamra Jr., Hamada Awedi, Nader Hamdan, Hussain Berro, Harris Barnett, Fadi Haydous, Mohamed Almozahmi, Richard Emke, Kirk Snyder, A.D. Bedell Company, Shoaib Kaaib Alhajaji, Ali Al-Fiasaly, Ahmed Nasir, Ahmed Alshubili, Aref Ahmed, Menal Mikha, Sam Daniel, Nabil Abdullah, Mohamed Abdullah, Mohamed Odefa, Rmzy Abdullah, Nagib Aziz, Khaled Aljeman, Aziz (JMD) (Entered: 10/12/1999) |
| 09/24/1999 | | Arrest WARRANT issued as to Fadi Haydous (JMD) (Entered: 10/07/1999) |
| 09/29/1999 | 2 | SEALED DOCUMENT as to all defendants (JMD) (Entered: 10/08/1999) |
| 09/29/1999 | 3 | SEALED DOCUMENT as to all defendants (JMD) (Entered: 10/08/1999) |
| 09/30/1999 | 4 | SEALED DOCUMENT as to all defendants (JMD) (Entered: 10/08/1999) |
| 09/30/1999 | 5 | SEALED DOCUMENT as to all defendants (JMD) (Entered: 10/08/1999) |
| 09/30/1999 | 6 | SEALED DOCUMENT as to all defendants (JMD) (Entered: 10/08/1999) |
| 09/30/1999 | 7 | SEALED DOCUMENT as to all defendants (JMD) (Entered: 10/08/1999) |
| 09/30/1999 | 8 | SEALED DOCUMENT as to all defendants (JMD) (Entered: 10/08/1999) |
| 09/30/1999 | 9 | SEALED DOCUMENT as to all defendants (JMD) (Entered: 10/08/1999) |
| 09/30/1999 | 10 | SEALED DOCUMENT as to all defendants (JMD) (Entered: 10/08/1999) |
| 10/04/1999 | | Indictment unsealed as to Mohamed Kaid, Ali Kaid, Page Martin, Mohamed Abuhamra, Ali Abuhamra, Khaled Humaisan, Abdo Alawi, Saleh Abdullah, Ali Abuhamra Jr., Hamada Awedi, Nader Hamdan, Hussain Berro, Harris Barnett, Fadi Haydous, Mohamed Almozahmi, Richard Emke, Kirk Snyder, A.D. Bedell Company, Shoaib Kaaib Alhajaji, Ali Al-Fiasaly, Ahmed Nasir, Ahmed Alshubili, Aref Ahmed, Menal Mikha, Sam Daniel, Nabil Abdullah, Mohamed Abdullah, Mohamed Odefa, Rmzy Abdullah, Nagib Aziz, Khaled Aljeman, Aziz (JMD) (Entered: 10/07/1999) |

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| 10/04/1999 | | <p>**Procedural Interval start P2 as to Mohamed Kaid (1) count(s) 1, 4, 5, 8, 11, 12, 19, 23, 24, 30, 32, 37, 50s-51s, 100s, 101s, 102s, Ali Kaid (2) count(s) 1, 2, 3, 7, 9, 10, 11, 16, 17, 18, 19, 20, 23, 27, 28, 30, 31, 32, 33, 34, 36, 39, 40, 41, 42s-46s, 48s-51s, 53s-54s, 68s-70s, 72s-73s, 79s-80s, 82s, 84s, 93s-97s, 100s, 101s, 102s, Page Martin (3) count(s) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42s-99s, 100s, 101s, 102s, Mohamed Abuhamra (4) count(s) 1, 11, 22, 24, 26, 57s, 101s, Ali Abuhamra (5) count(s) 1, 41, 45s, 57s, 101s, Khaled Humaisan (6) count(s) 1, 82s, 101s, Abdo Alawi (7) count(s) 1, 2, 9, 11, 12, 21, 23, 42s, 44s-45s, 48s, 51s-53s, 70s, 73s, 80s, 101s, Saleh Abdullah (8) count(s) 1, 3, 7, 14, 18, 21, 23, 53s, 73s, 79s-80s, 89s-90s, 94s, 101s, Ali Abuhamra (9) count(s) 1, 12, 38, 59s-61s, 63s-65s, 67s, 71s, 75s-76s, 78s, 101s, Hamada Awedi (10) count(s) 1, 55s, 101s, Nader Hamdan (11) count(s) 1, 55s, 101s, Hussain Berro (12) count(s) 1, 58s, 101s, Harris Barnett (13) count(s) 1, 58s, 101s, Fadi Haydous (14) count(s) 1, 98s, 101s, Mohamed Almozahmi (15) count(s) 1, 29, 31, 35, 44s, 47s, 50s-51s, 53s, 101s, Richard Emke (16) count(s) 1, 100s, 101s, 102s, Kirk Snyder (17) count(s) 1, 22, 29, 30, 31, 32, 36, 41, 42s, 45s, 53s, 56s-97s, 100s, 101s, 102s, A.D. Bedell Company (18) count(s) 1, 2, 3, 4, 5, 6s, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, Shoaib Kaaib Alhajaji (19) count(s) 1, 6, 7, 10, 12, 13, 15, 17, 21, 22, 24, 26, 37, 40, 43s, 101s, Ali Al-Fiasaly (20) count(s) 1, 12, 45s, 60s-63s, 67s, 76s, 78s, 81s, 83s-84s, 86s, 91s, 101s, Ahmed Nasir (21) count(s) 1, 8, 19, 31, 32, 35, 56s, 64s-65s, 67s, 101s, Ahmed Alshubili (22) count(s) 1, 8, 11, 37, 51s, 64s, 78s, 81s, 83s, 86s, 101s, Aref Ahmed (23) count(s) 1, 82s, 90s, 93s-95s, 97s, 101s, Menal Mikha (24) count(s) 1, 76s-78s, 97s, 99s, 101s, Sam Daniel (25) count(s) 1, 76s-78s, 99s, 101s, Nabil Abdullah (26) count(s) 1, 66s, 74s, 79s, 83s, 87s, 89s, 101s, Mohamed Abdullah (27) count(s) 1, 3, 17, 43s, 66s, 74s, 79s, 83s, 85s, 88s, 95s, 101s, Mohamed Odefa (28) count(s) 1, 7, 16, 21, 25, 29, 43s, 53s-54s, 68s, 94s, 101s, Rmzy Abdullah (29) count(s) 1, 9, 45s, 51s, 92s, 94s, 96s, 101s, Nagib Aziz (30) count(s) 1, 29, 66s, 84s, 101s, Khaled Aljeman (31) count(s) 1, 87s, 101s, Aziz (32) count(s) 1, 22s, 101s (former empl) (Entered: 10/07/1999)</p> |
| 10/04/1999 | | <p>**JS2 Opening Card for Mohamed Kaid, Ali Kaid, Page Martin, Mohamed Abuhamra, Ali Abuhamra, Khaled Humaisan, Abdo Alawi, Saleh Abdullah, Ali Abuhamra Jr., Hamada Awedi, Nader Hamdan, Hussain Berro, Harris Barnett, Fadi Haydous, Mohamed Almozahmi, Richard Emke, Kirk Snyder, A.D. Bedell Company, Shoaib Kaaib Alhajaji, Ali Al-Fiasaly, Ahmed Nasir, Ahmed Alshubili, Aref Ahmed, Menal Mikha, Sam Daniel, Nabil Abdullah, Mohamed Abdullah, Mohamed Odefa, Rmzy Abdullah, Nagib Aziz, Khaled Aljeman, Aziz (former empl) (Entered: 10/07/1999)</p> |
| 10/08/1999 | 22 | <p>Rule 40 Documents as to Fadi Haydous received from Eastern District of Michigan (JMD) (Entered: 10/08/1999)</p> |
| 10/08/1999 | 27 | <p>ORDER REFERRING CASE to USMJ Leslie G. Foschio as to all defendants for all pretrial matters pursuant to 28 USC 636(b)(1)(A) and</p> |

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| | | thereafter to file a report and recommendation, (Signed by USDJ Richard J. Arcara) Notice and copy to Leonard F. Walentynowicz, Alan D. Goldstein, William J. Hochul Jr. (JMD) (Entered: 10/12/1999) |
| 10/08/1999 | | CASE REFERRED to USMJ Leslie G. Foschio (JMD) (Entered: 10/12/1999) |
| 10/12/1999 | 30 | LIMITED appearance for Fadi Haydous by Scymour Berger (JMD) (Entered: 10/21/1999) |
| 10/12/1999 | | **Added for Fadi Haydous Attorney Seymour Berger (JMD) (Entered: 10/26/1999) |
| 10/12/1999 | | Appearance as to Fadi Haydous (JMD) (Entered: 11/01/1999) |
| 10/12/1999 | | Arraignment as to Fadi Haydous held, attorney Seymour Berger retained from Detroit MI, limited appearance filed with Court, Court directs defendant to advise Court prior to 11/9/99 of attorney status, Court waived \$35. pro hac vice if appearance today only, if defendant remains in case, Court directs payment of said fee, \$5,000 signature bond plus conditions. LGF (JMD) (Entered: 11/01/1999) |
| 10/12/1999 | | **Location LR as to Fadi Haydous (JMD) (Entered: 11/01/1999) |
| 10/12/1999 | | Deadline updated as to Fadi Haydous, to Continue in Interests of Justice Time Excluded from 10/12/99 to 11/9/99 , set Status Conference for 2:00 11/9/99 (JMD) (Entered: 11/01/1999) |
| 10/14/1999 | 39 | Appearance BOND entered by Fadi Haydous in Amount \$ 5,000. (JMD) (Entered: 10/21/1999) |
| 10/15/1999 | 46 | ORDER Setting Conditions of Release as to Fadi Haydous Bond set to \$5,000. Signature for Fadi Haydous. (Signed by USMJ Leslie G. Foschio) (JMD) (Entered: 10/21/1999) |
| 10/28/1999 | 68 | NOTICE of LIS PENDENS by USA as to Page Martin re: 5003 Whig Street, Little Valley, NY (JMD) Modified on 10/28/1999 (Entered: 10/28/1999) |
| 10/28/1999 | 69 | NOTICE of LIS PENDENS by USA as to Kirk Snyder re: 418 Court Street Little Valley NY and New York State Route 242 Little Valley NY (JMD) (Entered: 10/28/1999) |
| 10/28/1999 | 78 | LETTER to Magistrate Judge Foschio from Assistant US Attorney William Hochul dated 10/26/99 re: Mohamed Abuhamra (JMD) (Entered: 11/03/1999) |
| 10/28/1999 | | **Terminated attorney Leonard F. Walentynowicz for Nagib Aziz, Rmzy Abdullah, Abdullah, Aref Ahmed, Saleh Abdullah, Ali Abuhamra, and Mohamed Abuhamra (JMD) (Entered: 11/22/1999) |
| 10/29/1999 | 70 | NOTICE of LIS PENDENS by USA as to Mohamed Abuhambra re: 24 Palm Street , Lackawanna, NY (JMD) (Entered: 10/29/1999) |

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| 10/29/1999 | 71 | NOTICE of LIS PENDENS by USA re: Mohamed Kaid and Ali Abuhambra re: 1522 Genesee Street, Buffalo, NY (JMD) (Entered: 10/29/1999) |
| 10/29/1999 | 72 | NOTICE of LIS PENDENS by USA as to Mohamed Abuhambra re: 282 Moselle Street , Buffalo, NY (JMD) (Entered: 10/29/1999) |
| 11/09/1999 | | Status conference as to all defendants , discovery report from government, counsel should see AUSA, AUSA paralegal or case agents, no search warrants in this case, defendants counsel Walentynowicz requests indexing of evidence, attorney Greenman requests list of unindicted co-conspirators, government will begin with understanding that same is without prejudice, government advises attorneys for defendant to keep in mind pleas are open for discussion but will close at some point, case continued to 1/13/00 at 2:00 pm, time excluded. LGF (JMD) (Entered: 11/19/1999) |
| 11/09/1999 | | Deadline updated as to all defendants set Status Conference for 2:00 pm on 1/13/00 , to Continue in Interests of Justice Time Excluded from 11/9/99 to 1/13/00 (JMD) (Entered: 11/19/1999) |
| 11/23/1999 | | Status/discovery conference set for 2:00 pm on 3/9/00 (JMD) (Entered: 01/28/2000) |
| 11/23/1999 | | Deadline updated as to Mohamed Kaid, Ali Kaid, Page Martin, Mohamed Abuhamra, Ali Abuhamra, Khaled Humaisan, Abdo Alawi, Saleh Abdullah, Ali Abuhamra Jr., Hamada Awedi, Nader Hamdan, Hussain Berro, Harris Barnett, Fadi Haydous, Mohamed Almozahmi, Richard Emke, Kirk Snyder, A.D. Bedell Company, Shoaib Kaaid Alhajaji, Ali Al-Fiasaly, Ahmed Nasir, Ahmed Alshubili, Aref Ahmed, Menal Mikha, Sam Daniel, Nabil Abdullah, Mohamed Abdullah, Mohamed Odefa, Rmzy Abdullah, Nagib Aziz, Khaled Aljeman, Aziz, to Continue in Interests of Justice Time Excluded from 11/23/99 to 3/9/00 (JMD) (Entered: 01/28/2000) |
| 11/24/1999 | 92 | Arrest WARRANT Returned Executed as to Fadi Haydous on 10/4/99 (JMD) (Entered: 11/24/1999) |
| 11/29/1999 | | **Terminated deadlines as to all defendants (JMD) (Entered: 11/29/1999) |
| 12/20/1999 | 98 | LETTER to Magistrate Judge Foschio from Herbert L. Greenman counsel for defendant Saleh Abdallah dated 12/15/99 (JMD) (Entered: 12/20/1999) |
| 12/20/1999 | 99 | LETTER to Magistrate Judge Foschio from Barry Nelson Covert counsel for defendant Aref Ahmed dated 12/16/99 (JMD) (Entered: 12/20/1999) |
| 12/21/1999 | 102 | LETTER to all counsel from assistant US Attorney William Hochul dated 12/17/99 (JMD) (Entered: 12/22/1999) |
| 01/13/2000 | | Status conference, attorney Walentynowicz advises Court that defendant Mohamed Abuhamra will be seeking to retain counsel, attorney appearance set for 2/10/00 at 10:00 am, AUSA reports he has met with most of defense attorneys, defense counsel for corporation and its employees have requested reproduction of voluminous number of discovery items, which will take 3-4 weeks, government is prepared to engage in plea discussions, once motions |

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| | | are filed, governments discretion will decline as to pleas; curcio hearing is set for 1/27/00 at 2:00 pm, attorney Daniels as spokesperson for corporation and its employees, reports counsel have spend several hours reviewing discovery, reiterates discovery requests, counsel request 2 months continuance before putting scheduling order on file, no objections by government, Detroit attorneys Michael Rataj and Eugene Hunt, for defendants Hussain Berro and Harris Barnett make oral pro hac vice motion granted without objections, Court directs attorneys to pay fee, attorneys Rataj and Hunt are satisfied they have received all discovery and agree to proposal for continuance, attorneys request to be excused from curcio hearings, granted, bail continued, discovery conference set for 3/9/00 at 2:00pm , time excluded. LGF (JMD) Modified on 02/01/2000 (Entered: 01/28/2000) |
| 02/07/2000 | 116 | LETTER to Magistrate Judge Foschio from Fern Adelstein counsel for defendant Ali Abuhamra dated 2/4/00 (JMD) (Entered: 02/08/2000) |
| 02/09/2000 | | PRO HAC VICE fee paid by attorney L. Eugene Hunt, Jr., Esq. (JMD) (Entered: 02/09/2000) |
| 02/09/2000 | | PRO HAC VICE fee paid by attorney Michael Rataj counsel for Hussein Berro. (JMD) (Entered: 02/16/2000) |
| 03/03/2000 | | **Added for Fadi Haydous Attorney Thomas Eoannou (JMD) (Entered: 03/03/2000) |
| 03/09/2000 | 120 | SCHEDULING ORDER: Discovery deadline 5/12/00 ; pretrial Motions due 6/12/00 responses due ; Oral Argument deadline 9:00 am on 7/18/00 (Signed by USMJ Leslie G. Foschio) Notice and copy of order sent to Michael G. O'Rourke, Leonard F. Walentynowicz, John Pieri, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Angelo Musitano, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Terrence Connors, Vincent E. Doyle III, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 03/10/2000) |
| 03/09/2000 | | Status conference, extensive discovery discussions, scheduling order filed, defendants Martin, Emke, Snyder and the corporation will be filing joint motions, case continued to 7/18/00 at 9:00 am for oral argument, time excluded. LGF (JMD) (Entered: 03/16/2000) |
| 03/09/2000 | | Deadline updated to Continue in Interests of Justice Time Excluded from 3/9/00 to 7/18/00 , set Status Conference for 9:00 7/18/00 (JMD) (Entered: 03/16/2000) |
| 03/24/2000 | 121 | AFFIDAVIT by Sylvia Johnson for the government in support of request for Order to be issued revising the Court's original restraining order dated 9/28/99 (JMD) (Entered: 03/24/2000) |

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| 03/24/2000 | 122 | ORDER : granting the governments [121-1] request to modify restraining order. (Signed by USDJ Richard J. Arcara) Notice and copy of order sent to Michael G. O'Rourke, Leonard F. Walentynowicz, John Pieri, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Angelo Musitano, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Terrence Connors, Vincent E. Doyle III, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, William J. Hochul Jr. (JMD) (Entered: 03/27/2000) |
| 03/24/2000 | 123 | LETTER to Magistrate Judge Foschio from Joel Daniels counsel for Page Martin dated 3/22/00 (JMD) (Entered: 03/27/2000) |
| 03/24/2000 | 124 | LETTER to Magistrate Judge Foschio from Patrick Brown counsel for Richard Emke dated 3/23/00. (JMD) (Entered: 03/27/2000) |
| 03/27/2000 | 125 | LETTER to Magistrate Judge Foschio from James Harrington counsel for Kirk Snyder dated 3/24/00 (JMD) (Entered: 03/27/2000) |
| 03/27/2000 | 126 | LETTER to Magistrate Judge Foschio from Terrence Connors counsel for A. D. Bedell dated 2/29/00 (JMD) (Entered: 03/27/2000) |
| 04/14/2000 | 136 | RESPONSE by USA in opposition to [133-1] motion to Amend/Modify Restraining Order dated 9/28/99 by A.D. Bedell Company, Martin Page (JMD) (Entered: 04/14/2000) |
| 05/31/2000 | 142 | ORDER revising the Court's original restraining order dated 9/28/99 (Signed by USDJ Richard J. Arcara) Notice and copy of order sent to Michael G. O'Rourke, Leonard F. Walentynowicz, John Pieri, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Angelo Musitano, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 06/06/2000) |
| 06/05/2000 | 144 | SCHEDULING ORDER pretrial motions are due 7/10/00 ; Responses to Motions due 8/7/00 ; Oral Argument deadline 9:00 am on 9/14/00 (Signed by USMJ Leslie G. Foschio) Notice and copy of order sent to Michael G. O'Rourke, Leonard F. Walentynowicz, John Pieri, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Angelo Musitano, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 06/07/2000) |
| 06/06/2000 | 143 | AFFIDAVIT by Sylvia Johnson for USA in support of request for Order . (JMD) (Entered: 06/06/2000) |
| 06/07/2000 | 150 | ORDER as to Fadi Haydous, granting defendants request for a 30 day adjournment re: defense motions (Signed by USMJ Leslie G. Foschio) |

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| | | Notice and copy of order sent to Thomas Eoannou, William J. Hochul Jr. (JMD) (Entered: 06/09/2000) |
| 06/29/2000 | 154 | MOTION by Fadi Haydous for Discovery and Inspection , for Discovery of expert witnesses , for Bill of Particulars , for Disclosure pursuant to rule 404(b) , for Disclosure pursuant to Brady , for Disclosure pursuant to Jencks , to Compel evidence the government intends to offer at trial pursuant to Rule 807 , to Compel preservation of evidence papers etc. , for Joinder with other discovery motions filed , for Leave to File other and further motions with affidavit in support (JMD) (Entered: 06/29/2000) |
| 07/17/2000 | 168 | LETTER dated 7/10/00 to Magistrate Judge Foschio from Michael Violante counsel for defendant Sam Daniels joining in motions of co-defendants. (JMD) (Entered: 07/17/2000) |
| 08/09/2000 | 172 | RESPONSE by USA as to Mohamed Kaid, et al. and opposition to defendants omnibus motions (JMD) (Entered: 08/09/2000) |
| 08/14/2000 | 177 | RESPONSE by USA to the Court's [171-1] Order (JMD) (Entered: 08/14/2000) |
| 08/30/2000 | | ORAL ARGUMENT re: omnibus motions, motions by Mohamed Kaid to extent time to file pretrial motions, to modify conditions of release and for financial assistance with affirmation in support, and response by government , attorney assignment hearing/oral argument/oral order, defendant advised Court he is not able to pay for expenses to formulate/prepare filing of motions and continue attorney retainment, defendant request assigned counsel, defendant sworn, examined determined eligible, Leonard Walentynowicz assigned pursuant to Article XII.B of the new CJA plan (4/3/98) the Court finds there are special circumstances and in the interest of justice and judicial economy and continuity of counsel and other compelling circumstances discussed, Court approves \$2,000 for copying fees/expenses, CJA 20 and 24 order forms to follow, attorney Walentynowicz given application for admission to CJA Panel and Panel Attorney Data forms to complete and to turn into Financial Administrator , bail issue /oral order, defendant requests eliminate electronic monitoring government opposes, motion granted, bail modified to eliminate electronic monitoring all other conditions remain in effect, amended scheduling order Mohamed Kaid only, defendant motions due 10/11/00 government response due 10/25/00, amended oral argument set for 11/16/00 at 2:00 pm , time excluded, AUSA alerts defense that government has commenced sending invoices for coded digitizing funds allocated for same, in preparation for trial, documents for copying relating to Mohamed Kaid have been set aside. LGF (JMD) (Entered: 08/31/2000) |
| 08/31/2000 | | **Terminated deadlines (JMD) (Entered: 08/31/2000) |
| 09/05/2000 | | NOTICE (LGF) Evidentiary Hearing set for 2:00 pm on 10/12/00 (JMD) (Entered: 09/06/2000) |
| 10/06/2000 | | **Terminated deadlines (JMD) (Entered: 10/06/2000) |

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| 11/16/2000 | | Minute entry/oral argument (oral written letter request to adjourn) attorney Connors requests adjournment and indicates he has proposed adjournment to AUSA Hochul who has no objection, time excluded due to pending motions oral argument rescheduled for 9:30 am on 12/4/00 LGF (JMD) (Entered: 11/20/2000) |
| 11/29/2000 | | Tele-conference call/no appearances, call from attorney Barry Covert and AUSA Hochul re: pending pretrial motions, oral argument adjourned to 2:00 pm on 12/19/00 . LGF (JMD) (Entered: 12/07/2000) |
| 12/07/2000 | | **Terminated deadlines (JMD) (Entered: 12/07/2000) |
| 12/19/2000 | | Minute entry oral argument/oral motion to adjourn attorney Joel Daniels involved in lengthy environmental trial before RJA, requests to adjourn oral argument with understanding defense will make necessary calls to all parties, letter to follow, request granted. LGF (JMD) (Entered: 12/26/2000) |
| 12/26/2000 | | **Terminated deadlines (JMD) (Entered: 12/26/2000) |
| 12/26/2000 | 189 | ORDER Motion Hearing, set for 2:00 1/4/01 as to: Mohamed Kaid, re: (186-1), (185-1), (152-1), (152-2), (152-3); Page Martin, re: (162-1), (162-2), (162-3), (162-4), (162-5), (162-6), (162-7), (162-8), (162-9), (162-10); Saleh Abdullah, re: (160-1), (160-2), (160-3), (160-4), (160-5), (160-6), (160-7), (160-8), (160-9), (160-10), (160-11), (160-12), (160-13), (160-14); Fadi Haydous, re: (154-1), (154-2), (154-3), (154-4), (154-5), (154-6), (154-7), (154-8), (154-9), (154-10); Mohamed Almozahmi, re: (151-1), (151-2), (151-3), (151-4), (151-5), (151-6), (151-7), (151-8); Richard Emke, re: (162-1), (162-2), (162-3), (162-4), (162-5), (162-6), (162-7), (162-8), (162-9), (162-10); Kirk Snyder, re: (162-1), (162-2), (162-3), (162-4), (162-5), (162-6), (162-7), (162-8), (162-9), (162-10); A.D. Bedell Company, re: (162-1), (162-2), (162-3), (162-4), (162-5), (162-6), (162-7), (162-8), (162-9), (162-10); Ahmed Nasir, re: (161-1), (161-2), (161-3), (161-4), (161-5), (140-1), (140-2), (140-3), (140-4), (140-5), (140-6), (140-7), (140-8), (140-9), (140-10); Aref Ahmed, re: (164-1), (164-2), (164-3), (164-4), (164-5), (164-6), (164-7), (164-8), (164-9), (164-10), (164-11), (164-12), (164-13); Menal Mikha, re: (165-1), (165-2), (165-3), (165-4), (165-5), (165-6), (165-7), (165-8), (165-9), (165-10), (165-11), (165-12), (165-13), (165-14), (165-15); Mohamed Abdullah, re: (157-1), (157-2), (157-3), (157-4), (157-5), (157-6), (157-7), (157-8), (157-9), (157-10), (157-11); Rmzy Abdullah, re: (159-1) (Signed by USMJ Leslic G. Foschio) Notice and copy of order sent to all counsel of record (JMD) (Entered: 12/27/2000) |
| 01/04/2001 | | Minute entry/Oral Argument matter continued to 9:00 am on 1/12/01 LGF (JMD) (Entered: 01/09/2001) |
| 01/09/2001 | | **Terminated deadlines (JMD) (Entered: 01/09/2001) |
| 01/12/2001 | | **Terminated deadlines (JMD) (Entered: 01/12/2001) |

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| 01/12/2001 | 192 | ORAL ARGUMENT written supplemental papers due 1/31/01, matter will not be considered under submission, until 1/31/01 deadline has passed. LGF (JMD) Modified on 01/29/2001 (Entered: 01/16/2001) |
| 01/24/2001 | 196 | Plea Agreement as to Fadi Haydous (JMD) (Entered: 01/25/2001) |
| 01/24/2001 | 212 | PLEA of Guilty: Fadi Haydous (14) count(s) 98 Terminated motions Court accepts plea. Sentencing set for 5/30/01 at 9:00am, defendant released on bail. RJA (JMD) (Entered: 02/15/2001) |
| 01/24/2001 | | Status conference/re: sentencing as to Fadi Haydous set at 9:00 5/30/01 (JMD) (Entered: 02/15/2001) |
| 02/02/2001 | 206 | LETTER to Judge Foschio from AUSA William Hochul dated 1/30/01 (JMD) Modified on 02/09/2001 (Entered: 02/05/2001) |
| 02/28/2001 | 216 | TRANSCRIPT of oral argument held before Magistrate Judge Foschio filed in case as to Mohamed Kaid et al., for dates of 1/4/01 pages 1-122 (JMD) (Entered: 02/28/2001) |
| 03/02/2001 | | MOTION by USA as to Mohamed Kaid et al., for speedy trial act determination (JMD) (Entered: 03/05/2001) |
| 03/05/2001 | 217 | TRANSCRIPT of motion hearing held before Magistrate Judge Foschio filed in case as to Mohamed Kaid et al., for dates of 1/12/01 pages 1-150. (JMD) (Entered: 03/05/2001) |
| 03/09/2001 | 218 | ORDER as to Mohamed Kaid et al., defendants Response to the governments motion for speedy trial act determination is due 3/19/01 (Signed by USMJ Leslie G. Foschio) Notice and copy of order sent to Michael G. O'Rourke, Leonard F. Walentynowicz, John Pieri, E. Carcy Cantwell, Anthony J. Lana, Michael J. Violante, Angelo Musitano, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 03/09/2001) |
| 03/23/2001 | 224 | RESPONSE by USA [202-1] support memorandum by Mohamed Kaid (JMD) (Entered: 03/23/2001) |
| 03/28/2001 | 225 | ORDER as to Mohamed Kaid et al granting the governments request for permission to file a single response to all supplemental defense pleadings (Signed by USMJ Leslie G. Foschio) Notice and copy of order sent to Michael G. O'Rourke, Leonard F. Walentynowicz, John Pieri, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Angelo Musitano, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 03/28/2001) |

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| | | 03/29/2001) |
| 04/20/2001 | | **Terminated deadlines (JMD) (Entered: 04/20/2001) |
| 04/23/2001 | 229 | ORDER as to Mohamed Kaid, Ali Kaid, Page Martin, Mohamed Abuhamra, Ali Abuhamra, Khaled Humaisan, Abdo Alawi, Saleh Abdullah, Ali Abuhamra Jr., Hamada Awedi, Nader Hamdan, Hussain Berro, Harris Barnett, Fadi Haydous, Mohamed Almozahmi, Richard Emke, Kirk Snyder, A.D. Bedell Company, Shoaib Kaaid Alhajaji, Ali Al-Fiasaly, Ahmed Nasir, Ahmed Alshubili, Aref Ahmed, Menal Mikha, Sam Daniel, Nabil Abdullah, Mohamed Abdullah, Mohamed Odefa, Rmzy Abdullah, Nagib Aziz, Khaled Aljeman, Aziz, Azzeaz Saleh, to exclude time Excludable type XT Started on 4/23/01 Stopped on 5/23/01 for purposes of rendering a decision on pending pretrial motions (Signed by USMJ Leslie G. Foschio) Notice and copy of order sent to Michael G. O'Rourke, Leonard F. Walentynowicz, John Pieri, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Angelo Musitano, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (LLEW) (Entered: 04/24/2001) |
| 05/02/2001 | 231 | ORDER as to Mohamed Kaid, et al., dismissing as moot to governments [230-1] motion to exclude time (Signed by USMJ Leslie G. Foschio) Notice and copy of order sent to Michael G. O'Rourke, Leonard F. Walentynowicz, John Pieri, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Angelo Musitano, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 05/02/2001) |
| 05/23/2001 | 233 | MOTION by USA as to Mohamed Kaid et al., to exclude time (JMD) (Entered: 05/23/2001) |
| 05/30/2001 | 236 | Minute entry as to Hussain Berro, Harris Barnett, Ali Al-Fiasaly, Fadi Haydous, Nabil Abdullah :, Status Conference re: sentencing set for 9:00 am on 2/22/02 RJA(JMD) Modified on 07/25/2001 (Entered: 06/04/2001) |
| 06/01/2001 | 235 | ORDER as to Mohamed Kaid, Ali Kaid, Page Martin, Mohamed Abuhamra, Ali Abuhamra, Khaled Humaisan, Abdo Alawi, Saleh Abdullah, Ali Abuhamra Jr., Hamada Awedi, Nader Hamdan, Hussain Berro, Harris Barnett, Fadi Haydous, Mohamed Almozahmi, Richard Emke, Kirk Snyder, A.D. Bedell Company, Shoaib Kaaid Alhajaji, Ali Al-Fiasaly, Ahmed Nasir, Ahmed Alshubili, Aref Ahmed, Menal Mikha, Sam Daniel, Nabil Abdullah, Mohamed Abdullah, Mohamed Odefa, Rmzy Abdullah, Nagib Aziz, Khaled Aljeman, Aziz, Azzeaz Saleh granting [233-1] motion to exclude time Excludable type Started on 5/23/01 Stopped on 6/22/01. (Signed by USMJ |

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| | | Hugh B. Scott) Notice and copy of order sent to Philip M. Marshall, Michael G. O'Rourke, Leonard F. Walentynowicz, John Pieri, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Angelo Musitano, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (DLC) (Entered: 06/01/2001) |
| 06/22/2001 | 237 | MOTION by USA as to Mohamed Kaid, et al., to exclude time with proposed speedy trial order (JMD) (Entered: 06/22/2001) |
| 06/25/2001 | 238 | ORDER as to Mohamed Kaid et al., granting [237-1] motion to exclude time Excludable type XT Started on 6/22/01 Stopped on 7/22/01 as to Mohamed Kaid (1) et al. (Signed by USMJ Hugh B. Scott) Notice and copy of order sent to Philip M. Marshall, Michael G. O'Rourke, Leonard F. Walentynowicz, John Patrick Pieri, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Angelo Musitano, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 06/27/2001) |
| 07/20/2001 | 241 | MOTION by USA as to Mohamed Kaid, et al., for speedy trial exclusion (JMD) (Entered: 07/20/2001) |
| 07/20/2001 | 242 | ORDER as to Mohamed Kaid, et al., granting the governments [241-1] motion for speedy trial exclusion Time Excluded from 7/22/01 to 8/21/01 (Signed by USMJ Hugh B. Scott) Notice and copy of order sent to Philip M. Marshall, Michael G. O'Rourke, Leonard F. Walentynowicz, John Patrick Pieri, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Angelo Musitano, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels (JMD) (Entered: 07/23/2001) |
| 09/14/2001 | 255 | MOTION by USA as to Mohamed Kaid, et al., for Leave to File omnibus response to defendants objections to Magistrate Judge's report and recommendation (JMD) (Entered: 09/14/2001) |
| 09/24/2001 | 268 | Arrest WARRANT Returned Executed as to Fadi Haydous on 10/4/99 (JMD) (Entered: 09/24/2001) |
| 11/05/2001 | 300 | ORDER as to Mohamed Kaid, et al., the Court will defer ruling on objections to Magistrate Judge Scott's 8/20/01 Decision and Order until all pretrial motions have been disposed of. Once all pretrial motions have been decided, defendants shall have 10 days to file objections. The Court will then issue a scheduling order fixing the time for the government to respond and a date for oral argument if necessary. (Signed by USDJ Richard J. Arcara) |

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| | | Notice and copy of order sent to Michael G. O'Rourke, Leonard F. Walentynowicz, John Patrick Pieri, Lawrence J. Desiderio, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Paul Cambria, Thomas D'Agostino, Mehmet K. Okay, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 11/06/2001) |
| 12/21/2001 | 331 | MOTION by USA as to Fadi Haydous for bail revocation with affidavit in support (JMD) (Entered: 12/21/2001) |
| 01/07/2002 | 340 | LETTER dated 1/3/02 to Magistrate Judge Foschio from Carl Dobozin re: representation of defendant Mohamed Odefa (JMD) (Entered: 01/09/2002) |
| 01/11/2002 | | NOTICE (RJA) return date on governments motion for bail revocation set for 12:30pm on 1/15/02 for Fadi Haydous (JMD) (Entered: 01/15/2002) |
| 01/15/2002 | 362 | Minute entry/return date on governments motion for bail revocation as to Fadi Haydous, argument held, Court schedules pretrial supervision hearing for 1/16/02 at 4:30, defendant remanded to custody of US Marshal pending hearing. Sentencing set for 4:30pm on 3/18/02. RJA (JMD) (Entered: 03/04/2002) |
| 01/16/2002 | 363 | Hearing on violation of pretrial supervision as to Fadi Haydous held. Government and defendant have negotiated a modification of bail conditions to include defendants weekly reporting to USPO in Detroit Michigan. Court grants request to withdraw motion. Court admonished defendant to adhere to all conditions of pretrial supervision and to commit no further offenses. Defendant sentence scheduled for 3/18/02 at 12:30. RJA (JMD) (Entered: 03/04/2002) |
| 01/22/2002 | 347 | AMENDED ORDER Setting Conditions of Release as to Fadi Haydous Bond reset to \$5,000. Signature (Signed by USDJ Richard J. Arcara) (JMD) (Entered: 01/23/2002) |
| 02/05/2002 | 353 | LETTER to Magistrate Judge Foschio from Attorney David Jay re: Mohamed Odefa dated 01/28/02 (DMS) (Entered: 02/07/2002) |
| 02/14/2002 | 355 | MOTION by USA as to Fadi Haydous to relieve the government of obligations of plea agreement (JMD) (Entered: 02/14/2002) |
| 02/14/2002 | 356 | STATEMENT by USA as to Fadi Haydous With Respect to Sentencing Factors. (JMD) (Entered: 02/14/2002) |
| 02/28/2002 | 361 | REPLY MEMORANDUM by Fadi Haydous in opposition to/to supplement government [355-1] motion to be relieved of obligations of plea agreement (JMD) (Entered: 03/01/2002) |
| 03/14/2002 | | Certified and transmitted index to record on appeal to U.S. Court of Appeals: [338-1] appeal by Ali Al-Fiasaly (JMD) (Entered: 03/14/2002) |

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| 03/18/2002 | 373 | Minute entry/Adjournment as to Fadi Haydous adjourned pending oral argument on governments motion for relief from plea agreement obligations, no appearances. RJA (JMD) (Entered: 04/02/2002) |
| 03/26/2002 | 372 | RESPONSE by USA to [370-1] submission to supplement the record of suppression hearing by Ali Abuhamra Jr., Saleh Abdullah (JMD) (Entered: 03/27/2002) |
| 03/27/2002 | | NOTICE (RJA) as to Fadi Haydous, Motion Hearing set for 10:00am on 4/26/02 as to: Fadi Haydous, re: (355-1) governments motion to be relieved from plea agreement (JMD) (Entered: 03/28/2002) |
| 04/23/2002 | 382 | MOTION by Fadi Haydous for three week adjournment of 4/26/2 scheduled proceeding (JMD) (Entered: 04/23/2002) |
| 04/24/2002 | 386 | REPORT AND RECOMMENDATIONS of USMJ Hugh B. Scott as to Mohamed Kaid, et al., recommending that defendants motions to dismiss be denied and motions to suppress of defendants Emke, Saleh Abdullah, Ali Abuhamra, Mohamed Abdulla and Mohamed Kaid should also be denied. ; Motion no longer referred Objections due ten days from receipt. Notice and copy to all counsel (JMD) (Entered: 04/24/2002) |
| 04/26/2002 | 400 | Minute entry as to Fadi Haydous, hearing on government motion for relief from plea agreement obligations, adjourned to date to be determined by the Court, no appearances. RJA (JMD) (Entered: 05/13/2002) |
| 05/02/2002 | 393 | ORDER as to Mohamed Kaid, et al., granting defendants [392-1], [389-1], [387-1] and [382-1] motions for extension of time to object to Magistrate Judge's report and recommendation and/or decision and order. Objections shall be filed by 6/10/02 . (Signed by USDJ Richard J. Arcara) Notice and copy of order sent to Carl H. Dobozin, Matthew P. Pynn, Michael G. O'Rourke, Leonard F. Walentynowicz, John Patrick Pieri, David R. Addelman, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Paul Cambria, Thomas D'Agostino, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 05/02/2002) |
| 05/10/2002 | 398 | ORDER as to Mohamed Kaid, et al., granting [395-1] motion to Extend Time to file objections , granting [396-1] motion for Joinder in co-defendants motion for extension of time to file objections to report and recommendation and granting [394-1] motion to Extend Time to file objections, any objections shall be filed by 6/10/2. This order shall apply to all defendants. (Signed by USDJ Richard J. Arcara) Notice and copy of order sent to all counsel (JMD) (Entered: 05/10/2002) |
| 05/10/2002 | 399 | ORDER as to Fadi Haydous, the hearing on the governments (355-1) motion for relief from the plea agreement is adjourned to 5/23/2 at 2:00pm. (Signed by USDJ Richard J. Arcara) Notice and copy of order sent to Thomas Eoannou, Seymour Berger, William J. Hochul Jr. (JMD) (Entered: 05/10/2002) |

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| | | 05/10/2002) |
| 05/17/2002 | 401 | MOTION by USA as to Fadi Haydous to Extend Time/Adjourn hearing on governments motion to be relieved of obligations of plea agreement (JMD) (Entered: 05/17/2002) |
| 05/20/2002 | 402 | ORDER as to Fadi Haydous granting [401-1] motion to Extend Time/Adjourn hearing on governments motion to be relieved of obligations of plea agreement. Motion Hearing set for 2:00 pm on 6/26/02 re: (355-1) (Signed by USDJ Richard J. Arcara) Notice and copy of order sent to Thomas Ioannou, Seymour Berger, William J. Hochul Jr. (JMD) (Entered: 05/21/2002) |
| 06/26/2002 | 424 | Minute entry as to Fadi Haydous, hearing on government motion to be relieved from plea agreement. Adourned to date to be determined. RJA (JMD) (Entered: 07/10/2002) |
| 06/28/2002 | 421 | LETTER to Magistrate Judge Foschio from David Addelman counsel for Mohamed Odefa dated 6/27/2 Joining in all motions filed by co-defendants (JMD) (Entered: 07/01/2002) |
| 07/23/2002 | | NOTICE (RJA) oral argument on appeals from Magistrate's decision and order set for 9:00am on 8/7/02. (JMD) (Entered: 07/26/2002) |
| 08/02/2002 | | NOTICE (RJA) oral argument on appeals to Magistrate Judge's Decision's and Order's set for 9:00am on 9/19/02 (JMD) (Entered: 08/06/2002) |
| 08/08/2002 | 428 | MOTION by USA as to Mohamed Kaid, et al., to Extend Time/Adjourn oral argument date (JMD) (Entered: 08/08/2002) |
| 08/21/2002 | 430 | ORDER as to Mohamed Kaid, et al., granting the governments [428-1] motion to Adjourn oral argument. Oral argument scheduled for 9/19/2 is adjourned to 9/27/2 at 9:00am. (Signed by USDJ Richard J. Arcara) Notice and copy of order sent to all counsel (JMD) Modified on 08/22/2002 (Entered: 08/22/2002) |
| 08/21/2002 | | Deadline updated as to Mohamed Kaid, et al., set oral argument for 9:00am on 9/27/02. (JMD) (Entered: 08/22/2002) |
| 08/30/2002 | 431 | RESPONSE by USA as to Mohamed Kaid, et al., in opposition to [422-1] objection, [415-1] objection, [412-1] objection, [411-1] objection, [410-1] objection, [409-1] objection, [407-1] objection, [408-1] objection, [403-1] objection and Appeals (JMD) (Entered: 09/03/2002) |
| 09/19/2002 | 439 | Minute entry-Adjournment as to Mohamed Kaid, et al., oral argument on appeals from Magistrate Judge's decision and order dated 8/20/1 and objections to report and recommendation dated 4/24/2 adjourned to 9/27/2 at 9:00am. No appearances. RJA (JMD) (Entered: 10/07/2002) |
| 09/27/2002 | 445 | Minute entry/Oral Argument on appeal from Magistrate Judge's decision and order dated 8/20/2 and defendant's objections to Magistrate Judge s' Report and Recommendation dated 4/24/2 as to Mohamed Kaid, et al., additional briefing required. Defendants papers are due 10/18/2, government response |

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| | | is due 11/1/2. Court will notify parties should further oral argument be required. RJA (JMD) (Entered: 10/22/2002) |
| 11/01/2002 | 446 | RESPONSE by USA to [442-1] supplemental memorandum of law by defendantss (JMD) (Entered: 11/04/2002) |
| 12/02/2002 | 449 | ORDER as to Mohamed Kaid, et al., denying [425-1] motion to Amend/supplement [162-1] pretrial motions as to Page Martin (3), Richard Emke (16), Kirk Snyder (17), A.D. Bedell Company (18) (Signed by USDJ Richard J. Arcara) Notice and copy of order sent to Matthew P. Pynn, Michael G. O'Rourke, Leonard F. Walentynowicz, John Patrick Pieri, David R. Addelman, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Paul Cambria, Thomas D'Agostino, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 12/03/2002) |
| 12/02/2002 | 450 | ORDER as to Mohamed Kaid, et al., denying defendants motions to dismiss and motions to suppress (Docket Nos. 157,160,161,162,164,168 and 185. (Signed by USDJ Richard J. Arcara) Notice and copy of order sent to Matthew P. Pynn, Michael G. O'Rourke, Leonard F. Walentynowicz, John Patrick Pieri, David R. Addelman, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Paul Cambria, Thomas D'Agostino, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 12/03/2002) |
| 12/04/2002 | 451 | LETTER to Leonard Walentynowicz Esq. from AUSA William Hochul dated 12/4/2. (JMD) (Entered: 12/09/2002) |
| 12/04/2002 | 472 | Minute entry as to Mohamed Kaid, et al., meeting to set trial. Due to the number of defendants, two trials will be held. Cutoff date for pleas will be 2.3.3. Trial no.1 will be held at 9:30am on 6/24/03. Final Pretrial Conference scheduled for 10:00am on 6/10/03. Trial no. 2 will be held 10/14/ 3. Final pretrial conference scheduled for 9/30/3. Time excluded from 6/24/3 to 10/14/3 dependent on which group of defendants will be prosecuted in trial no.1 or trial no.2. Government to provide speedy trial order. Court established schedule with respect to smoke shop fronts and mega trial proposal containing names of defendants comprising first trial and second trial, bill of particulars, speedy trial waivers, etc. RJA (JMD) (Entered: 02/10/2003) |
| 12/09/2002 | 452 | ORDER as to Mohamed Kaid, et al., to Continue in Interests of Justice Time Excluded from 12/4/2 to 10/14/3 (Signed by USDJ Richard J. Arcara) Notice and copy of order sent to Matthew P. Pynn, Michael G. O'Rourke, Leonard F. Walentynowicz, John Patrick Pieri, David R. Addelman, E. Carey Cantwell, Anthony J. Lana, Michael J. Violante, Paul Cambria, |

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| | | Thomas D'Agostino, Alan D. Goldstein, Mark R. Uba, Terrence Connors, James P. Harrington, Patrick J. Brown, John J. Carney III, Thomas Eoannou, Seymour Berger, L. Eugene Hunt Jr., Michael A. Rataj, Herbert L. Greenman, J. Glenn Davis, David Gerald Jay, Joel Daniels, Glenn E. Murray, William J. Hochul Jr. (JMD) (Entered: 12/09/2002) |
| 12/13/2002 | 455 | Minute entry/pretrial conference as to Fadi Haydous, defense requests for travel approval. Request denied. Government shall file sealed affidavit ASAP. LGF (JMD) (Entered: 12/23/2002) |
| 12/16/2002 | 454 | LETTER to Judge Foschio from Thomas Eoannou counsel for defendant Fadi Haydous dated 12/11/2 (JMD) (Entered: 12/20/2002) |
| 12/19/2002 | 453 | SEALED DOCUMENT as to Fadi Haydous (JMD) (Entered: 12/19/2002) |
| 12/23/2002 | 456 | ORDER as to Fadi Haydous denying [454-1] letter request for permission to travel (Signed by USMJ Leslie G. Foschio) Notice and copy of order sent to Thomas Eoannou, William J. Hochul Jr. (JMD) (Entered: 12/24/2002) |
| 01/03/2003 | 461 | Submission by USA re: [452-1] order of trial and bill of particulars. (JMD) (Entered: 01/03/2003) |
| 02/07/2003 | 470 | LETTER to Magistrate Judge Foschio from Michael Stuermer counsel for Aref Ahmed dated 2/4/3. (JMD) (Entered: 02/07/2003) |
| 04/07/2003 | | **Remove appeal flag - no further appeals pending (JMD) (Entered: 04/07/2003) |
| 05/05/2003 | 491 | ORDER as to Fadi Haydous, pursuant to Title 18 USC 3154(5) bail violations the Court orders the issuance of a warrant. (Signed by Chief USDJ Richard J. Arcara) Notice and copy of order sent to Thomas Eoannou, William J. Hochul Jr. US Marshal US Probation (JMD) (Entered: 05/05/2003) |
| 05/05/2003 | | Arrest WARRANT issued as to Fadi Haydous (JMD) (Entered: 05/05/2003) |
| 05/13/2003 | 493 | TRANSCRIPT of plea held before Judge Arcara filed in case as to Fadi Haydous for dates of 1/24/1 pages 1-42. (JMD) (Entered: 05/13/2003) |
| 05/30/2003 | 499 | PRETRIAL ORDER filed as to Mohamed Kaid, et al., Trial Date set for 9:30am on 7/8/03, Pretrial Conference set for 2:00 pm on 6/17/03. (signed by Chief USDJ Richard J. Arcara) Notice and copy to all counsel (JMD) Modified on 05/30/2003 (Entered: 05/30/2003) |
| 06/04/2003 | 500 | PRETRIAL ORDER filed as to Mohamed Kaid, Ali Kaid, Page Martin, Mohamed Abuhamra, Ali Abuhamra, Khaled Humaisan, Abdo Alawi, Salch Abdullah, Ali Abuhamra Jr., Hamada Awedi, Nader Hamdan, Hussain Berro, Harris Barnett, Fadi Haydous, Mohamed Almozahmi, Richard Emke, Kirk Snyder, A.D. Bedell Company, Shoaib Kaaid Alhajaji, Ali Al-Fiasaly, Ahmed Nasir, Ahmed Alshubili, Aref Ahmed, Menal Mikha, Sam Daniel, Nabil Abdullah, Mohamed Abdullah, Mohamed Odcfa, Rmzy Abdullah, Nagib Aziz, Khaled Aljeman, Azzeaz Saleh, Azzeaz Saleh Trial Date set for 9:30 7/8/03 for Mohamed Kaid, for Ali Kaid, for Page Martin, for Mohamed |

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| | | Abuhamra, for Ali Abuhamra, for Khaled Humaisan, for Abdo Alawi, for Saleh Abdullah, for Ali Abuhamra Jr., for Hamada Awedi, for Nader Hamdan, for Hussain Berro, for Harris Barnett, for Fadi Haydous, for Mohamed Almozahmi, for Richard Emke, for Kirk Snyder, for A.D. Bedell Company, for Shoaib Kaaid Alhajaji, for Ali Al-Fiasaly, for Ahmed Nasir, for Ahmed Alshubili, for Aref Ahmed, for Menal Mikha, for Sam Daniel, for Nabil Abdullah, for Mohamed Abdullah, for Mohamed Odefa, for Rmzy Abdullah, for Nagib Aziz, for Khaled Aljeman, for Azzeaz Saleh, for Azzeaz Saleh Pretrial Conference set for 2:00 6/17/03 for Mohamed Kaid, for Ali Kaid, for Page Martin, for Mohamed Abuhamra, for Ali Abuhamra, for Khaled Humaisan, for Abdo Alawi, for Saleh Abdullah, for Ali Abuhamra Jr., for Hamada Awedi, for Nader Hamdan, for Hussain Berro, for Harris Barnett, for Fadi Haydous, for Mohamed Almozahmi, for Richard Emke, for Kirk Snyder, for A.D. Bedell Company, for Shoaib Kaaid Alhajaji, for Ali Al-Fiasaly, for Ahmed Nasir, for Ahmed Alshubili, for Aref Ahmed, for Menal Mikha, for Sam Daniel, for Nabil Abdullah, for Mohamed Abdullah, for Mohamed Odefa, for Rmzy Abdullah, for Nagib Aziz, for Khaled Aljeman, for Azzcaz Saleh, for Azzeaz Saleh (signed by Chief USDJ Richard J. Arcara) (JMD) (Entered: 06/04/2003) |
| 06/10/2003 | | **Terminated deadlines as to Mohamed Kaid, et al., (JMD) (Entered: 06/10/2003) |
| 06/10/2003 | 508 | Final Pre-trial conference as to Mohamed Kaid, et al., adjourned by the Court to 6/17/3 at 2:00pm. No appearances. RJA (JMD) (Entered: 06/27/2003) |
| 06/17/2003 | 509 | Status conference as to Mohamed Kaid, et al. Government reports that plea dispositions are being discussed with several defendants scheduled to go to trial on 7/8/3. Government suggests any remaining defendants from the 7/8/3 trial group be consolidated with the 10/14/3 trial group, Court agrees. 7/8/3 trial adjourned. Time excluded. Government to submit speedy trial order. Attorney Walentynowicz suggests the government produce pretrial submissions. Court denies request. Walentynowicz will obtain copy of jury questionnaire utilized in another district for similar case. Court will review questionnaire when it is provided. Attorney Davis alerts the Court he will be on trial beginning 9/17/3. However he is anticipating a plea. Attorney Murray is anticipating filing a motion for assignment under CJA. RJA (JMD) (Entered: 07/07/2003) |
| 06/17/2003 | | **Terminated deadlines as to Mohamed Kaid, et al., (JMD) (Entered: 07/07/2003) |
| 06/20/2003 | 507 | CJA 24 as to Fadi Haydous Authorization to Pay Debra Engelskirger \$ 34.86 for Transcript Voucher # 030617000029 (Signed by Chief USDJ Richard J. Arcara) (JMD) Modified on 06/24/2003 (Entered: 06/24/2003) |
| 09/08/2003 | 515 | ORDER as to Mohamed Kaid, Ali Kaid, Page Martin, Mohamed Abuhamra, Ali Abuhamra, , Mohamed Almozahmi, Richard Emke, Kirk Snyder, A.D. Bedell Company, Aref Ahmed, Sam Daniel, Mohamed Abdullah, Rmzy |

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| | | Abdullah, Nagib Aziz, Azzcaz Saleh, Azzcaz Saleh, set Pretrial Conference for 10:00am on 9/30/03 , set Jury Selection for 9:30 am on 10/15/03 . (Signed by Chief USDJ Richard J. Arcara) Notice and copy of order sent to all counsel (JMD) (Entered: 09/10/2003) |
| 09/26/2003 | 517 | PROPOSED SUMMARY OF CHARGES by USA as to Mohamed Kaid, et al (JMD) (Entered: 09/26/2003) |
| 09/26/2003 | 518 | PROPOSED Voir Dire Questions by USA as to Mohamed Kaid, et al., (JMD) (Entered: 09/26/2003) |
| 09/26/2003 | 519 | Witness list by USA as to Mohamed Kaid, et al., (JMD) (Entered: 09/26/2003) |
| 09/26/2003 | 520 | Proposed Jury Charges by USA as to Mohamed Kaid, et al., (JMD) (Entered: 09/26/2003) |
| 09/26/2003 | 521 | TRIAL MEMORANDUM by USA as to Mohamed Kaid, et al, (JMD) (Entered: 09/26/2003) |
| 09/26/2003 | 523 | Exhibit list by USA as to Mohamed Kaid, et al., (JMD) (Entered: 09/26/2003) |
| 09/26/2003 | 524 | Exhibit list by USA as to Mohamed Kaid, et al., (JMD) (Entered: 09/26/2003) |
| 09/26/2003 | 525 | SEALED DOCUMENT as to Mohamed Kaid, et al., (JMD) (Entered: 09/26/2003) |
| 09/26/2003 | 526 | SEALED DOCUMENT as to Mohamed Kaid, et al., (JMD) (Entered: 09/26/2003) |
| 09/26/2003 | 576 | Minute Entry/Meeting to set trial date before Judge Richard J. Arcara as to Aref Ahmed, Sam Daniel, Rmzy Abdullah, Nagib Aziz and Azzeaz Saleh held on 9/26/2003. Jury selection and trial set for 2/3/4 at 9:30am. Final pretrial conference set for 1/27/4 at 2:00pm. Status conference set for 12/5/3 at 9:00am. Time excluded. Government to submit speedy trial order. Court will require affidavits from defendants re: waiver of speedy trial time. Affidavits due 10/10/3. (Court Reporter Debra Engelskirger.) (JMD,) (Entered: 10/17/2003) |
| 09/29/2003 | 532 | MOTION by USA as to Mohamed Kaid, et al., to Extend Time/Adjourn commencement of trial (JMD) (Entered: 09/29/2003) |
| 09/30/2003 | 533 | MOTION by USA as to Mohamed Kaid, et al., for Judicial Notice with exhibits in support (JMD) (Entered: 09/30/2003) |
| 09/30/2003 | 534 | MOTION by USA as to Mohamed Kaid, et al., to Quash subpoena with exhibit in support (JMD) (Entered: 09/30/2003) |
| 09/30/2003 | 535 | MEMORANDUM of LAW by USA as to Mohamed Kaid, et al., in support of [534-1] motion to Quash subpoena (JMD) (Entered: 09/30/2003) |

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| 09/30/2003 | 536 | MOTION by witness Linda Mohawk in re: Mohamed Kaid, et al., to Quash subpocna (JMD) (Entered: 09/30/2003) |
| 09/30/2003 | 538 | CERTIFICATE OF SERVICE by USA as to Mohamed Kaid, et al., Service Re: [537-1] support affidavit, [536-1] motion to Quash subpoena, [535-1] support memorandum and [534-1] motion to Quash subpoena (JMD) (Entered: 09/30/2003) |
| 09/30/2003 | ●577 | Minute Entry/Final Pretrial Conference held before Judge Richard J. Arcara as to Mohamed Kaid, et al. Jury selection set for 10/20/3 at 9:30am. (Entered: 10/17/2003) |
| 10/01/2003 | 539 | DEMAND FOR WITNESS STATEMENTS by USA as to Mohamed Kaid, et al., (JMD) (Entered: 10/02/2003) |
| 10/01/2003 | 540 | RESPONSE by USA as to Mohamed Kaid, et al., in opposition to [531-1] motion to Continue trial (JMD) (Entered: 10/02/2003) |
| 10/02/2003 | 542 | MEMORANDUM of LAW by USA as to Mohamed Kaid, et al., in support of [536-1] motion to Quash subpoena (JMD) (Entered: 10/02/2003) |
| 10/03/2003 | 544 | ORDER as to Mohamed Kaid, et al., responses to all briefs shall be filed by 10/10/3. Motion Hearing, set for 10:00am on 10/20/03 re: all motions. , set Jury selection for 9:30am on 10/21/03. (Signed by Chief USDJ Richard J. Arcara) Notice and copy of order sent to all counsel (JMD) (Entered: 10/03/2003) |
| 10/03/2003 | 545 | MOTION by USA on behalf of Cattaraugus County Sheriff's Department as to Mohamed Kaid, et al., to Quash Subpoena (JMD) (Entered: 10/03/2003) |
| 10/03/2003 | 546 | MOTION by USA as to Mohamed Kaid, et al., to Quash Subpocna with exhibit in support (JMD) (Entered: 10/03/2003) |
| 10/03/2003 | 547 | MEMORANDUM of LAW by USA as to Mohamed Kaid, et al., in support of [546-1] motion to Quash Subpoena, [545-1] motion to Quash Subpoena (JMD) (Entered: 10/03/2003) |
| 10/03/2003 | 548 | CERTIFICATE OF SERVICE by USA as to Mohamed Kaid, et al., Service Re: [547-1] support memorandum, [546-1] motion to Quash Subpoena, [545-1] motion to Quash Subpoena (JMD) (Entered: 10/03/2003) |
| 10/07/2003 | ●561 | MEMORANDUM IN OPPOSITION by USA as to Page Martin, Richard Emke, Kirk Snyder, A.D. Bedell Company, Inc. re: Proposed Voir Dire Question 17 (JMD,) (Entered: 10/09/2003) |
| 10/07/2003 | ●562 | MEMORANDUM IN OPPOSITION by USA as to Mohamed Kaid, et al., re: Motion for an Adjournment (JMD,) (Entered: 10/09/2003) |
| 10/07/2003 | ●563 | Certificate of Service by USA as to Mohamed Kaid, et al, re [554] MOTION to Compel, [556] Memorandum in Support, [562] Memorandum in Opposition, [557] MOTION in Limine, [558] Memorandum in Support, [552] Voir Dire Questions (JMD,) (Entered: 10/09/2003) |

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| 10/14/2003 | | ***Staff Notes as to Mohamed Kaid, et al., mail sent to attorney Philip Marshall returned (JMD,) (Entered: 10/14/2003) |
| 10/14/2003 | ●570 | Application for Writ of Habeas Corpus ad Testificandum USA as to Mohamed Kaid, et al as to witness Colleen Kemnitzer (JMD,) (Entered: 10/15/2003) |
| 10/14/2003 | ● | Writ of Habeas Corpus ad Testificandum Issued as to Colleen Kemnitzer for October 15, 2003 @ 9:30am in case as to Mohamed Kaid, et al., (Entered: 10/15/2003) |
| 10/16/2003 | ●574 | NOTICE pursuant to Rule 16(a)(1)(F) by USA as to Mohamed Kaid, et al.,(JMD,) (Entered: 10/16/2003) |
| 10/31/2003 | ●590 | ORDER as to Mohamed Kaid, et al., all restraining orders and any and all subsequent orders and any and all Notices of Lis Pendens obtained and filed by the government that restrained the property listed in this order is removed lifted and discharged . Signed by Judge Richard J. Arcara on 10/31/3. (JMD,) (Entered: 11/05/2003) |
| 11/05/2003 | ●591 | ORDER as to Mohamed Kaid, et al, ORDER TO CONTINUE - Ends of Justice Time excluded from 9/30/3 until 2/3/4. . Signed by Judge Richard J. Arcara on 11/4/3. (JMD,) (Entered: 11/06/2003) |
| 11/20/2003 | ●601 | MOTION For Order Relieving the Government of Obligations Under the Plea Agreement by USA as to Fadi Haydous. (JMD,) (Entered: 11/20/2003) |
| 12/01/2003 | ●607 | ORDER as to Fadi Haydous granting permission to forward a copy of the presentence report to the Eastern District of Michigan USPO . Signed by Judge Richard J. Arcara on 11/28/3. In addition to noticed parties copies also forwarded to USPO (JMD,) (Entered: 12/02/2003) |
| 12/23/2003 | ●615 | STATEMENT WITH RESPECT TO SENTENCING by USA as to Fadi Haydous (JMD,) (Entered: 12/24/2003) |
| 12/31/2003 | ●619 | OBJECTION TO PRESENTENCE INVESTIGATION REPORT by Fadi Haydous (JMD,) (Entered: 12/31/2003) |
| 01/06/2004 | ●679 | Minute Entry - Adjournment by the Court of sentencing proceedings scheduled before Judge Richard J. Arcara as to Deft Fadi Haydous. Sentencing rescheduled for 1/9/2004 at 12:30 PM. (Court Reporter D. Engelskirger.) (DJD,) (Entered: 02/05/2004) |
| 01/07/2004 | ●620 | RESPONSE to Motion by Fadi Haydous re [601] MOTION For Order Relieving the Government of Obligations Under the Plea Agreement (Eoannou, Thomas) (Entered: 01/07/2004) |
| 01/07/2004 | ●621 | First MOTION for Downward Departure pursuant to USSG s. 5G1.3(c) by Fadi Haydous. (Eoannou, Thomas) (Entered: 01/07/2004) |
| 01/07/2004 | ●622 | MOTION to Strike by USA as to Fadi Haydous. (JMD,) (Entered: 01/07/2004) |

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| 01/09/2004 | <u>684</u> | Minute Entry - Sentencing proceedings as to Deft Fadi Haydous held before Judge Richard J. Arcara on 1/9/2004. Deft requests an adjournment of sentencing for reasons stated on the record. Court grants Deft's request. Sentencing adjourned to 1/15/2004 at 1:00 PM.(Court Reporter D. Engelskirger.) (DJD,) (Entered: 02/08/2004) |
| 01/12/2004 | <u>625</u> | MOTION to Strike by USA as to Fadi Haydous. (JMD,) (Entered: 01/13/2004) |
| 01/15/2004 | <u>694</u> | Minute Entry for proceedings held before Judge Richard J. Arcara :Sentencing scheduled as to Deft Fadi Haydous for 1/15/2004, however, sentencing did not go forward. The Court directs the Govt to provide written papers on its stand opposing Deft's entitlement to acceptance of responsibility. Govt's papers due by 1/28/2004. Sentencing rescheduled for 1/30/2004 at 12:30 p.m. (Court Reporter D. Engelskirger.) (DJD,) (Entered: 02/15/2004) |
| 01/20/2004 | <u>628</u> | MEMORANDUM on Acceptance of Responsibility by USA as to Fadi Haydous (JMD,) (Entered: 01/20/2004) |
| 01/21/2004 | <u>630</u> | Proposed Voir Dire by USA as to Mohamed Kaid, et al., (JMD,) (Entered: 01/22/2004) |
| 01/21/2004 | <u>631</u> | Proposed Jury Charges by USA as to Mohamed Kaid, et al.,(JMD,) (Entered: 01/22/2004) |
| 01/21/2004 | <u>632</u> | Certificate of Service by USA as to Mohamed Kaid, et al., re <u>630</u> Proposed Voir Dire, <u>631</u> Proposed Jury Instructions (JMD,) (Entered: 01/22/2004) |
| 01/23/2004 | <u>638</u> | E-Filing Error Corrected: [638] ** PLEASE DISREGARD ENTRY, DOCUMENT E-FILED AS PART OF TEST ENTRY** DECLARATION (JMD,) Modified on 1/23/2004 (JMD,). (JMD,) (Entered: 01/23/2004) |
| 01/23/2004 | <u>639</u> | WITNESS LIST by USA as to Mohamed Kaid, et al., (JMD,) (Entered: 01/23/2004) |
| 01/23/2004 | <u>640</u> | TRIAL Memorandum by USA as to Mohamed Kaid, et al., (JMD,) (Entered: 01/23/2004) |
| 01/23/2004 | <u>651</u> | Certificate of Service by USA as to Mohamed Kaid, et al., re <u>639</u> Witness List, <u>640</u> Trial Memorandum (JMD,) (Entered: 01/28/2004) |
| 01/27/2004 | <u>655</u> | NOTICE OF ATTORNEY APPEARANCE Allison P. Gioia, Anthony Bruce appearing for USA. (JMD,) (Entered: 01/29/2004) |
| 01/27/2004 | <u>656</u> | MOTION to admit exhibits pursuant to rule 803(10) and 902 by USA as to Mohamed Kaid, et al.,(JMD,) (Entered: 01/29/2004) |
| 01/27/2004 | <u>657</u> | AMENDED WITNESS LIST by USA as to Mohamed Kaid, et al.,(JMD,) (Entered: 01/29/2004) |
| 01/28/2004 | <u>652</u> | RESPONSE in Opposition by Fadi Haydous re [601] MOTION For Order Relieving the Government of Obligations Under the Plea Agreement <i>With Respect to 3E1.1</i> (Eoannou, Thomas) (Entered: 01/28/2004) |

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| 01/29/2004 | ●659 | Application/PETITION AND ORDER for Writ of Habeas Corpus ad Testificandum as to Mohamed Kaid, et al.,(JMD,) (Entered: 01/29/2004) |
| 01/29/2004 | ● | Writ of Habeas Corpus ad Testificandum Issued as to Colleen Kemnitzer for January 30, 2004 at 10:00 am in case as to Mohamed Kaid, et al.,(JMD,) (Entered: 01/29/2004) |
| 01/30/2004 | ●720 | Minute Entry for proceedings held before Judge Richard J. Arcara :Sentencing held on 1/30/2004 for Deft Fadi Haydous (14), Count(s) 1, 101, dismissed; Count(s) 98, Deft is sentenced to the custody of the Bureau of Prisons for 27 months incarceration. Upon release, Deft to be placed on supervised release for 3 years with special conditions. Deft ordered to make restitution in the amount of \$322,500.00 to be paid joint and several. No fine. Deft to pay \$100.00 special assessment. Deft remanded. Court grants Govt motion to dismiss counts 1 and 101 of the indictment as to this Deft. (Court Reporter D. Engelskirger.) (DJD,) (Entered: 03/02/2004) |
| 02/03/2004 | ●675 | PRESENTENCE INVESTIGATION REPORT (Sealed) as to Fadi Haydous (JMD,) (Entered: 02/03/2004) |
| 02/04/2004 | ●677 | MEMORANDUM of LAW by USA as to Mohamed Kaid, ct al., on the Presumption Under 18 U.S.C. 3148(b) and the Definition of "Conviction" Under State Law(JMD,) (Entered: 02/04/2004) |
| 02/05/2004 | ●680 | MEMORANDUM/BRIEF/RESPONSE by USA as to Mohamed Kaid, et al., in response to the Court's February 2, 2004 request for a Memorandum of Law re: Governments Exhibit 3570A(JMD,) Modified on 2/6/2004 (JMD,). (Entered: 02/05/2004) |
| 03/03/2004 | ●725 | JUDGMENT as to Fadi Haydous (14), Count(s) 1, 101, Dismissed.; Count(s) 98, Deft is sentenced to the custody of the Bureau of Prisons for 27 months incarceration. Upon release, Deft to be placed on supervised release for 3 years with special conditions. Deft ordered to make restiution inthe amount of \$322,500.00 to be paid joint and several. No fine. Deft to pay \$100.00 spccial assessment. Deft remanded. Court grants Govt motion to dismiss counts 1 and 101 of the indictment.. Additional certified copies forwarded to USPO, USM, US Attorney, Debt Collection, Financial Department. . Signed by Judge Richard J. Arcara on 3/3/04. (JMD,) (Entered: 03/03/2004) |
| 03/03/2004 | ●733 | Sealed Document (JMD,) (Entered: 03/05/2004) |
| 03/29/2004 | | ***Terminated defendant Fadi Haydous, pending deadlines, and motions. (JMD,) (Entered: 03/29/2004) |
| 05/13/2004 | ● | Terminate Deadlines and Hearings as to Mohamed Kaid, et al.,(JMD,) (Entered: 05/13/2004) |
| 06/02/2004 | | ***Motions terminated as to Mohamed Kaid, et al., : [889] MOTION (JMD,) (Entered: 06/02/2004) |

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| 06/16/2004 | ● <u>911</u> | MANDATE of USCA (certified copy) as to re [691] Notice of Appeal - Interlocutory by Leonard Walentynowicz dismissing the appeal because this Court has determined that it lacks jurisdiction over this appeal because a final order has not been issued by the district court as contemplated by 28 U.S.C. 1291, etc. Therefore, it is ordered that the appeal is dismissed and the Government's motion to be dismissed as a party is denied as moot. (DR,) (Entered: 06/16/2004) |
| 08/04/2004 | | ***Motions terminated as to Harris Barnett [957] MOTION to Adjourn Sentencing filed by Harris Barnett, [958] First MOTION to Adjourn sentencing filed by Harris Barnett. **DOCUMENTS ARE NOT MOTIONS, DOCUMENTS ARE AFFIDAVITS IN SUPPORT OF [956] MOTION** (JMD,) (Entered: 08/05/2004) |
| 01/18/2005 | ● <u>1049</u> | ORDER : In re: L. F. Walentynowicz, denying attorney Walentynowicz's request that this Court withhold any further action in connection with counsel's petition for a writ of mandamus with the United States Court of Appeals. Signed by Judge Richard J. Arcara on 1/18/05. (JDK,) (Entered: 01/18/2005) |
| 01/25/2005 | ● <u>1051</u> | NOTICE by USA as to Mohamed Kaid, et al., <i>Affidavit by USA (Bruce, Anthony) Modified on 1/25/2005 (JDK,). (Entered: 01/25/2005)</i> |
| 03/01/2005 | ● <u>1065</u> | TRANSCRIPT of Proceedings as to Mohamed Kaid, et al., in re: Leonard Walentynowicz held on 2/2/05 before Judge Richard J. Arcara. Court Reporter: Julie Wycoff. pages 1-95, transcript maintained in paper form in the Clerk's office (JDK,) (Entered: 03/01/2005) |
| 05/26/2005 | ● <u>1114</u> | Sentencing adjourned, rescheduled for 7/5/2005 01:00 PM before Hon. Richard J. Arcara. Signed by Judge Richard J. Arcara on 05/24/2005. (Baker, J.) (Entered: 05/26/2005) |
| 06/28/2005 | ● <u>1120</u> | ORDER OF TRANSFER (Rule 21) to Eastern District of Michigan as to Fadi Haydous . Signed by Judge Richard J. Arcara on 6/3/05. (JDK,) (Entered: 06/28/2005) |
| 06/28/2005 | ● | Clerk mailed certified copies of transfer of jurisdiction to Eastern District of Michigan along with certified copies of docket sheet, indictment, plea agreement and judgment as to Fadi Haydous (JDK,) (Entered: 06/28/2005) |

UNITED STATES DISTRICT COURT

WESTERN

District of

NEW YORK

UNITED STATES OF AMERICA

V.

FADI HAYDOUS

JUDGMENT IN A CRIMINAL CASE

(For Offenses Committed On or After November 1, 1987)

Case Number:

05-80598

Thomas J. Eoannou

Defendant's Attorney

THE DEFENDANT:

- ☒ pleaded guilty to count(s) 98
- ☐ pleaded nolo contendere to count(s) _____
which was accepted by the court.
- ☐ was found guilty on count(s) _____
after a plea of not guilty.

ACCORDINGLY, the court has adjudicated that the defendant is guilty of the following offense(s):

Title & Section

18 U.S.C. §2342(a) &
§2344(a)

Nature of Offense

Trafficking in Contraband Cigarettes

Date Offense

Concluded

05/06/97

Count

Number(s)

98

FILED

JUN 30 2005

The defendant is sentenced as provided in pages 2 through _____ of this judgment. The sentence is imposed pursuant to the Sentencing Reform Act of 1984.

- ☐ The defendant has been found not guilty on count(s) _____
- ☒ Count(s) 1 & 101 ☐ is ☒ are dismissed on the motion of the United States.

IT IS ORDERED that the defendant shall notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant shall notify the court and United States attorney of any material change in the defendant's economic circumstances.

Defendant's Soc. Sec. No.: 373-17-9523

Defendant's Date of Birth: April 12, 1974

Defendant's USM No.: 27041-039

Defendant's Residence Address:

Bureau of Prisons

January 30, 2004

Date of Imposition of Judgment

Richard J. Arcara

Signature of Judicial Officer

BCF
DOCUMENT

RICHARD J. ARCARA, Chief U.S. District Judge

Name and Title of Judicial Officer

I hereby attest and certify that this is a printed copy of a document which was electronically filed with the United States District Court for the Western District of New York

Defendant's Mailing Address:

Date Filed: 3/3/04

c/o Bureau of Prisons, C. Early, Clerk

By: *S. Kelly*

Deputy Clerk

DEFENDANT: FADI HAYDOUS
CASE NUMBER: 1:99CR00131-014

Judgment — Page 2 of 6

IMPRISONMENT

The defendant is hereby committed to the custody of the United States Bureau of Prisons to be imprisoned for a total term of 27 months

☒ The court makes the following recommendations to the Bureau of Prisons:
The Court recommends that the defendant be designated to FCI Milan.

☒ The defendant is remanded to the custody of the United States Marshal.

☐ The defendant shall surrender to the United States Marshal for this district:

☐ at _____ ☐ a.m. ☐ p.m. on _____
☐ as notified by the United States Marshal.

☐ The defendant shall surrender for service of sentence at the institution designated by the Bureau of Prisons:

☐ before 2 p.m. on _____
☐ as notified by the United States Marshal.
☐ as notified by the Probation or Pretrial Services Office.

RETURN

I have executed this judgment as follows:

Defendant delivered on _____ to _____

at _____, with a certified copy of this judgment.

UNITED STATES MARSHAL

By _____
DEPUTY UNITED STATES MARSHAL

DEFENDANT: FADI HAYDOUS
 CASE NUMBER: 1:99CR00131-014

Judgment—Page 3 of 6

SUPERVISED RELEASE

Upon release from imprisonment, the defendant shall be on supervised release for a term three (3) years

The defendant shall report to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

The defendant shall not commit another federal, state or local crime.

The defendant shall not illegally possess a controlled substance.

For offenses committed on or after September 13, 1994:

The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

☒ The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse.

☒ The defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

If this judgment imposes a fine or a restitution obligation, it shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

The defendant shall comply with the standard conditions that have been adopted by this court (set forth below). The defendant shall also comply with the additional conditions on the attached page.

STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court;
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record or personal history or characteristics and shall permit the probation officer to make such notifications and to confirm the defendant's compliance with such notification requirement.

DEFENDANT: FADI HAYDOUS
CASE NUMBER: 1:99CR00131-014

Judgment—Page 4 of 6

SPECIAL CONDITIONS OF SUPERVISION

The defendant shall provide the U.S. Probation Office with access to any requested personal and/or business financial information. The U.S. Probation Office is authorized to release pre-sentence and post-sentence financial information submitted by the defendant to the U.S. Attorney's Office for use in the collection of any unpaid fine or restitution. If restitution or a fine is owed, the defendant shall notify the U.S. Probation Office of any assets received and shall not disburse his/her interest in any assets, including, but not limited to, income tax refunds, inheritance, insurance and lawsuit settlements, or gambling winnings without the approval of the U.S. Probation Office.

The defendant shall not incur any form of debt including, but not limited to, use of existing credit cards, new credit cards, lines of credit, mortgages or private loans without the approval of the U.S. Probation Office.

The defendant shall submit to a search of his person, property, vehicle, place of residence or any other property under his control and permit confiscation of any evidence or contraband discovered.

If deported, the term of supervised release shall be unsupervised.

If deported, the defendant shall not re-enter or attempt to re-enter the United States without the written authorization of the Secretary of Homeland Security.

If not deported, the term of supervised release shall be supervised.

DEFENDANT: FADI HAYDOUS
CASE NUMBER: 1:99CR00131-014

Judgment — Page 5 of 6**CRIMINAL MONETARY PENALTIES**

The defendant shall pay the following total criminal monetary penalties in accordance with the schedule of payments set forth on Sheet 5, Part B.

| | <u>Assessment</u> | <u>Fine</u> | <u>Restitution</u> |
|---------------|-------------------|-------------|--------------------|
| TOTALS | \$ 100 | \$ 0 | \$ 322,500 |

☐ The determination of restitution is deferred _____. An *Amended Judgment in a Criminal Case* (AO 245C) will be entered after such determination.

☐ The defendant shall make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

| <u>Name of Payee</u> | <u>*Total Amount of Loss</u> | <u>Amount of Restitution Ordered</u> | <u>Priority Order or Percentage of Payment</u> |
|----------------------|----------------------------------|--|--|
| State of Michigan | \$322,500 | \$322,500 | |

TOTALS \$ 322,500 \$ 322,500

☐ If applicable, restitution amount ordered pursuant to plea agreement \$ _____

☐ The defendant shall pay interest on any fine or restitution of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 5, Part B may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

☒ The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

☒ the interest requirement is waived for the ☐ fine ☒ restitution.

☐ the interest requirement for the ☐ fine ☐ restitution is modified as follows:

* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18, United States Code, for offenses committed on or after September 13, 1994 but before April 23, 1996.

DEFENDANT: FADI HAYDOUS
CASE NUMBER: 1:99CR00131-014

Judgment — Page 6 of 6

SCHEDULE OF PAYMENTS

Having assessed the defendant's ability to pay, payment of the total criminal monetary penalties shall be due as follows:

- A ☐ Lump sum payment of \$ _____ due immediately, balance due:
- ☐ not later than _____, or
☐ in accordance with ☐ C, ☐ D, or ☐ E below; or
- B ☐ Payment to begin immediately (may be combined ☐ C, ☐ D, or ☐ E below); or
- C ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of _____ over a period of _____ (e.g., months or years), to _____ (e.g., 30 or 60 days) after the date of this judgment; or
- D ☐ Payment in _____ (e.g., equal, weekly, monthly, quarterly) installments of _____ over a period of _____ (e.g., months or years), to _____ (e.g., 30 or 60 days) after release from imprisonment to a term of supervision; or

- E ☒ Special instructions regarding the payment of criminal monetary penalties:

The Special Penalty Assessment is due in full immediately. Pursuant to 18 U.S.C. §3663A, it is ordered that the defendant make restitution to the victims in the amount of \$322,500 to the State of Michigan, Department of Finance, to be paid joint and several with the other co-defendants convicted in this indictment. The restitution is due immediately. Interest on the restitution is waived. While incarcerated, if the defendant is non-UNICOR or UNICOR grade 5, the defendant shall pay installments of \$25 per quarter. If assigned grades 1 through 4 in UNICOR, the defendant shall pay installments of 50% of the inmate's monthly pay. After considering the factors set forth in 18 U.S.C. §3664(d)(2), while on supervised release, the defendant shall make timely installments at the rate of \$250 per month. Full payment of the restitution is due at least three months prior to the expiration of supervision.

Unless the court has expressly ordered otherwise in the special instruction above, if this judgment imposes a period of imprisonment, payment of criminal monetary penalties shall be due during the period of imprisonment. All criminal monetary penalties, except those payments made through the Federal Bureau of Prisons' Inmate Financial Responsibility Program, are made to the clerk of the court, unless otherwise directed by the court, the probation officer, or the United States attorney.

The defendant shall receive credit for all payments previously made toward any criminal monetary penalties imposed.

- ☐ Joint and Several

Defendant Name, Case Number, and Joint and Several Amount:

- ☐ The defendant shall pay the cost of prosecution.

- ☐ The defendant shall pay the following court

- ☐ The defendant shall forfeit the defendant's interest in the following property to the United States:

Payments shall be applied in the following order: (1) assessment, (2) restitution principal, (3) restitution interest, (4) fine principal, (5) community restitution, (6) fine interest, (7) penalties, and (8) costs, including cost of prosecution and court costs.

05-80598

IN THE DISTRICT COURT OF THE UNITED STATES

For the Western District of New York

NOVEMBER 1997 GRAND JURY
(Empaneled 10/30/97)

THE UNITED STATES OF AMERICA

-vs-

99-CR-181

INDICTMENT

MOHAMED KAID,

a/k/a JIMMY, a/k/a MOHAMED QAYED,
a/k/a MOHAMED MOSAID,
(Cts. 1, 4, 5, 8, 11, 12, 19, 23, 24, 30, 32, 37,
50, 51, and 100-102)

ALI KAID,

a/k/a ABDO HUSSEIN, a/k/a ABDUL,
(Cts. 1-3, 7, 9-11, 16-20, 23, 27, 28, 30, 32-34, 36, 39-46,
48-51, 53, 54, 68-70, 72, 73, 79, 80, 82, 84, 93-97, and 100-102)

PAGE MARTIN,

(Cts 1-102)

MOHAMED ABUHAMRA,

a/k/a MIKE,
(Cts. 1, 11, 22, 24, 26, 57, and

ALI ABUHAMRA,

(Cts. 1, 41, 45, 57, and 101)

KHALED HUMAISAN,

a/k/a ALI OMAR,
(Cts 1, 82, and 101)

ABDO ALAWI,

a/k/a SAM 2, a/k/a HAMOOD,
(Cts. 1, 2, 9, 11, 12, 21, 23, 42, 44, 45, 48, 51-53, 70, 73, 80, and 101)

SALEH ABDULLAH,

a/k/a SAM 1,
(Cts. 1, 3, 7, 14, 18, 21, 23, 53, 73, 79, 80, 89, 90, 94, and 101)

ALI ABUHAMRA, JR.,

a/k/a ALI MOSED, a/k/a ALI BAILEY,
(Cts. 1, 12, 38, 59-61, 63-65, 67, 71, 75, 76, 78, and 101)

Violations:

Title 18, U.S.C.,
§§ 1956(h), 2342, 2,
1962(d), 1963 and 982.

(102 Cts.)
FILED

JUN 30 2005

CLERK'S OFFICE, DETROIT-PSG
U.S. DISTRICT COURT

ATTORNEY AT LAW
U.S. DISTRICT COURT
RODNEY C. L. [Signature]

By [Signature] Clerk
9/22/99

#1

HAMADA AWEDI,

a/k/a MIKE,

(Cts. 1, 55, and 101)

NADER HAMDAN,

a/k/a NICK,

(Cts. 1, 55, and 101)

HUSSAIN BERRO,

a/k/a SAM,

(Cts. 1, 58, and 101)

HARRIS BARNETT,

a/k/a ALEX,

(Cts. 1, 58, and 101)

FADI HAYDOUS,

a/k/a FREDDY,

(Cts. 1, 98, and 101)

MOHAMED ALMOZAHMI,

a/k/a RED FANNY,

(Cts. 1, 29, 31, 35, 44, 47, 50, 51, 53, and 101)

RICHARD EMKE,

(Cts. 1, and 100-102)

KIRK SNYDER,

(Cts. 1, 22, 29-32, 36, 41, 42, 45, 53, 56-97, and 100-102)

A.D. BEDELL COMPANY, INC.,

(Cts. 1-102)

SHOAIB KAAID ALHAJAJI,

a/k/a HIGH STREET JOHN,

(Cts. 1, 6, 7, 10, 12, 13, 15, 17, 21, 22, 24, 26, 37, 40, 43, and 101)

ALI AL-FIASALY,

(Cts. 1, 12, 45, 60, 61-63, 67, 76, 78, 81, 83, 84, 86, 91, and 101)

AHMED NASIR,

a/k/a SHUBWA,

(Cts. 1, 8, 19, 31, 32, 35, 56, 64, 65, 67, and 101)

AHMED ALSHUBILI,

a/k/a LITTLE SHUBWA,

(Cts. 1, 8, 11, 37, 51, 64, 78, 81, 83, 86, and 101)

AREF AHMED,

(Cts. 1, 82, 90, 93-95, 97, and 101)

MENAL MIKHA,

(Cts. 1, 76-78, 97, 99, and 101)

SAM DANIEL,

(Cts. 1, 76-78, 99, and 101)

NABIL ABDULLAH,

(Cts. 1, 66, 74, 79, 83, 87, 89, and 101)

MOHAMED ABDULLAH,

(Cts. 1, 3, 17, 43, 66, 74, 79, 83, 85, 88, 95, and 101)

MOHAMED ODEFA,

a/k/a OTTIFA,

(Cts. 1, 7, 16, 19, 21, 25, 29, 43, 53, 54, 68, 94, and 101)

RMZY ABDULLAH,

(Cts. 1, 9, 45, 51, 92, 94, 96, and 101)

NAGIB AZIZ,

a/k/a NICO,

(Cts. 1, 29, 66, 84, and 101)

KHALED ALJEMAN,

a/k/a SPEEDO,

(Cts. 1, 87, and 101)

FNU AZIZ,

a/k/a MIKE AZIZ, a/k/a MIKE LINCOLN,

(Cts. 1, 22, 36, and 101)

The Grand Jury Charges:

That at all times material to this Indictment:

INTRODUCTION

1. The tobacco industry was highly regulated by Federal and State governments.

2. The States of New York and Michigan imposed an excise tax upon cigarettes possessed for sale within their borders.

THE NEW YORK STATE EXCISE TAX

3. The cigarette excise tax in New York State was \$.56 per pack. The responsibility for collecting this tax was delegated by the New York State Department of Taxation and Finance ("New York Department of Taxation") to one of several cigarette stamping agents.

4. In order to become a stamping agent, a cigarette wholesale company would apply to the New York Department of Taxation for a cigarette stamping license. If granted a license, the stamping agent was entitled to receive untaxed cigarettes directly from cigarette manufacturers. Thereafter, the stamping agent was required by law to place a tax stamp on all packs of cigarettes destined for sale in the State of New York, evidencing that the New York State cigarette excise tax had been properly levied. A stamping agent was paid a fee by the State of New York for these services.

5. Excise tax stamps did not, however, have to be placed upon packs of cigarettes sold within New York to a Native American smoke shop. This exception applied only if such sales occurred on a New York State Indian reservation, and were sold to Native Americans for use on the reservation.

6. All cigarette sales made by a stamping agent were required by New York State law to be recorded on a form known as Form CG6, which had to be sent on a monthly basis to the New York Department of Taxation in Albany, New York, with a certification that the information contained therein was true and correct.

THE MICHIGAN EXCISE TAX

7. Commencing on or about May 1, 1994, the cigarette excise tax imposed upon all cigarettes possessed for sale within the State of Michigan increased from \$.25 to \$.75 per pack. Michigan law required a tax stamp to be placed upon each half-case of cigarettes until in or about 1998.

8. Michigan law at all times required any person possessing for sale any quantity of untaxed cigarettes be licensed by the Michigan Department of Treasury.

THE FEDERAL CIGARETTE LAWS AND REGULATIONS

9. Pertinent Federal laws and regulations provide that:

a) Contraband cigarettes are defined as a quantity of cigarettes in excess of 60,000 which bear no evidence of the payment of State taxes where such cigarettes are found (hereafter, "contraband cigarettes"), as provided in Title 18, United States Code, Section 2341(2).

b) It is illegal for any person to knowingly ship, transport, receive, possess, sell, distribute or purchase contraband cigarettes, as provided in Title 18, United States Code, Section 2342(a).

c) All persons who ship, sell, or distribute any quantity of cigarettes in excess of 60,000 in a single transaction shall maintain certain records regarding the distribution of such cigarettes, including the name of the recipients and the intended destination of such cigarettes, and to not make any false statement or representation with respect to such information, as provided in Title 18, United States Code, Sections 2342(b) and 2343.

d) All persons who sell or transfer for profit cigarettes in interstate commerce, whereby such cigarettes are

shipped into a State taxing the sale or use of cigarettes, to other than a distributor licensed by or located in such State, shall notify and provide such State's tobacco tax administrator with certain information concerning the identity of the person receiving the cigarettes, and the quantity of cigarettes, as provided in Title 15, United States Code, Sections 375 through 378.

THE DEFENDANTS

10. The defendant A.D. BEDELL COMPANY, INC., was a New York State corporation, and licensed New York State cigarette stamping agent, having principal offices in Salamanca, New York, within the Western District of New York.

11. Defendant PAGE MARTIN was the President and sole shareholder of defendant A.D. BEDELL COMPANY, INC. Defendant MARTIN initiated, authorized, directed and profited from many of the illegal activities described herein.

12. Defendant RICHARD EMKE was the day manager of the defendant A.D. BEDELL COMPANY, INC. Defendant EMKE directed and supervised many of the illegal activities described herein, including the distribution of contraband cigarettes to many of the defendants herein.

13. Defendant KIRK SNYDER was a warehouse manager, driver and salesman for the defendant A.D. BEDELL COMPANY, INC. Defendant SNYDER initiated and participated in many of the illegal activities described further herein, including the distribution of contraband cigarettes to many of the defendants herein.

14. Defendants MOHAMED KAID, ALI KAID, MOHAMED ABUHAMRA, ALI ABUHAMRA, KHALED HUMAISAN, ABDO ALAWI, SALEH ABDULLAH, ALI ABUHAMRA, JR., HAMADA AWEDI, NADER HAMDAN, HUSSAIN BERRO, HARRIS BARNETT, FADI HAYDOUS, MOHAMED ALMOZAHMI, SHOAB KAAID ALHAJAJI, ALI AL-FIASALY, AHMED NASIR, AHMED ALSHUBILI, AREF AHMED, MENAL MIKHA, SAM DANIEL, NABIL ABDULLAH, MOHAMED ABDULLAH, MOHAMED ODEFA, RMZY ABDULLAH, NAGIB AZIZ, KHALED ALJEMAN, true First Name Unknown (above and hereafter FNU) AZIZ, and others, illegally received, transported, possessed, sold, distributed and purchased massive quantities of contraband cigarettes. These defendants were periodically referred to as "runners", among other terms, by defendants MARTIN, EMKE and SNYDER, as well as many of the employees of defendant A.D. BEDELL COMPANY, INC. None of the defendants identified as "runners" was licensed by the Michigan Department of Treasury, or authorized by the State of New York, to possess for sale any quantity of untaxed cigarettes.

15. The defendants harmed many innocent victims, including legitimate businesses that complied with Federal and State laws,

persons who were targeted for acts of violence and retaliation by the defendants, citizens of the affected States who relied upon the funding provided by the excise tax levy, and taxpayers forced to pay additional taxes to make up for the excise tax shortages.

THE DEFENDANTS' CRIMINAL SCHEME

16. Between approximately 1994 through 1998, the exact dates being unknown to the Grand Jury, the defendants and others, both known and unknown, devised and intended to devise a criminal scheme designed to defraud the States of New York and Michigan out of tens of millions of dollars of cigarette excise tax revenues. The scheme involved defendants MARTIN, EMKE, SNYDER, and A.D. BEDELL COMPANY, INC., providing massive amounts of contraband cigarettes to defendants MOHAMED KAID, ALI KAID, MOHAMED ABUHAMRA, ALI ABUHAMRA, HUMAISAN, ALAWI, SALEH ABDULLAH, ALI ABUHAMRA, JR., AWEDI, HAMDAN, BERRO, BARNETT, HAYDOUS, ALMOZAHMI, ALHAJAJI, ALFIASALY, NASIR, ALSHUBILI, AHMED, MIKHA, DANIEL, NABIL ABDULLAH, MOHAMED ABDULLAH, ODEFA, RMZY ABDULLAH, NAGIB AZIZ, ALJEMAN, FNU AZIZ, and others known and unknown. In many instances, the defendants utilized the premises and business account of a Native American smoke shop as a "front" to facilitate the distribution of the contraband cigarettes. These contraband cigarettes were

thereafter resold on the black market, without payment of the required New York and Michigan cigarette excise taxes.

17. The defendants' criminal scheme generated tens of millions of dollars in illegal proceeds. The defendants utilized these illegal proceeds to purchase additional contraband cigarettes, enrich themselves and their co-conspirators, and engage in financial transactions in various domestic and foreign financial institutions.

COUNT ONE

(CONSPIRACY TO COMMIT MONEY LAUNDERING
INVOLVING THE PROCEEDS OF WIRE FRAUD,
CONTRABAND CIGARETTE SMUGGLING,
AND OTHER UNLAWFUL ACTIVITIES)

The Grand Jury Further Charges:

18. The factual allegations contained in Paragraphs 1 through 17 of this Indictment are re-alleged and incorporated herein as if more fully set forth.

19. Beginning in or about the summer of 1994, and continuing thereafter up to and including 1998, the exact dates being unknown, in the Western District of New York and elsewhere, the defendants, MOHAMED KAID, ALI KAID, PAGE MARTIN, A.D. BEDELL COMPANY, INC.,

RICHARD EMKE, KIRK SNYDER, MOHAMED ABUHAMRA, ALI ABUHAMRA, KHALED HUMAISAN, ABDO ALAWI, SALEH ABDULLAH, ALI ABUHAMRA, JR., HAMADA AWEDI, NADER HAMDAN, HUSSAIN BERRO, HARRIS BARNETT, FADI HAYDOUS, MOHAMED ALMOZAHMI, SHOAIB KAAID ALHAJAJI, ALI AL-FIASALY, AHMED NASIR, AHMED ALSHUBILI, AREF AHMED, MENAL MIKHA, SAM DANIEL, NABIL ABDULLAH, MOHAMED ABDULLAH, MOHAMED ODEFA, RMZY ABDULLAH, NAGIB AZIZ, KHALED ALJEMAN, and FNU AZIZ, did knowingly and intentionally combine, conspire, confederate and agree, together and with others, both known and unknown, to commit violations of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and (B)(i); that is, to conduct and attempt to conduct financial transactions affecting interstate and foreign commerce, knowing that the property involved in the financial transactions represented the proceeds of some form of unlawful activity, and which property in fact involved the proceeds of specified unlawful activity, with the intent:

a) to promote the carrying on of specified unlawful activity; and

b) knowing that the transactions were designed in whole or in part, to conceal the nature, location, source, ownership, or the control of the proceeds of specified unlawful activity.

THE OBJECT OF THE CONSPIRACY

20. The object of the conspiracy was to engage in numerous financial transactions to generate large amounts of money through the massive smuggling of contraband cigarettes, and through other criminal activities related to contraband cigarette trafficking, by avoiding and evading the collection and payment of New York and Michigan cigarette excise taxes. The object of the conspiracy was achieved through the following:

a) The defendants and others utilized communications facilities in interstate commerce, including facsimile machines and telephones, to transmit orders for large quantities of contraband cigarettes from locations within the State of Michigan to locations within the Western District of New York.

b) The defendants and others utilized codes and nicknames in the ordering and packaging of contraband cigarettes so as to facilitate the shipping, transporting, receiving, possessing, purchasing, selling, and distributing of the contraband cigarettes among the defendants, and to conceal from law enforcement authorities and others their true identities.

c) The defendants and others utilized a Native American smoke shop, as well as other locations in and around the Native American reservations located in the Western District of New York, as "fronts" for the transfer of the contraband cigarettes among and between the defendants, to avoid payment of applicable New York and Michigan excise taxes, circumvent the Federal cigarette reporting requirements, and avoid the scrutiny of law enforcement officials.

d) The defendants and others illegally shipped, transported, received, possessed, purchased, sold, and distributed contraband cigarettes from within the Western District of New York, to the State of Michigan, and elsewhere.

e) The defendants and others filed and caused to be filed with the New York State Department of Taxation Forms CG6 which contained false and misleading information, failed to maintain accurate information relating to the true recipients of the contraband cigarettes as required by Federal law, and failed to notify the State of Michigan of the identities of the defendants receiving the contraband cigarettes.

f) The defendants and others utilized and recruited additional conspirators to ship, transport, receive, possess, purchase, sell, and distribute the contraband cigarettes.

g) The defendants and others engaged in acts and threats of violence, to include armed hijacking of rival cigarette smugglers.

h) The defendants and others provided false and misleading testimony and information to the Grand Jury and to law enforcement officials investigating the money laundering and cigarette smuggling scheme described herein.

i) The defendants and others concealed the sales of contraband cigarettes through the preparation of false and misleading records and documents.

j) The defendants and others laundered the proceeds of all of the above illegal activities in various domestic and foreign financial institutions, and engaged in further financial transactions with the illegal proceeds, to purchase additional contraband cigarettes, conceal profits from the illegal scheme, and thwart the scrutiny of law enforcement officials.

THE SPECIFIED UNLAWFUL ACTIVITIES

21. The financial transactions that the defendants and others, agreed to conduct and attempted to conduct, involved the proceeds of the following specified unlawful activities, any one of

which alone constitutes a specified unlawful activity as defined in Title 18, United States Code, § 1956(c)(7):

a) Wire fraud, in violation of 18 U.S.C. § 1343 and 18 U.S.C. § 2, in that, in the Western District of New York and elsewhere, the defendants and others, having devised and intending to devise a scheme and artifice to defraud the States of New York and Michigan of cigarette excise tax revenues, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, on numerous occasions transmitted and caused to be transmitted by means of wire communications in interstate commerce, that is, from points outside the State of New York to places within the Western District of New York, and from points within the Western District of New York to places outside the State of New York, writings, signs, signals, pictures and sounds for the purpose of executing such scheme and artifice, and the defendants did aid and abet others in conducting this illegal activity.

b) Contraband cigarette smuggling, in violation of 18 U.S.C. § 2342(a) and 18 U.S.C. § 2, in that, in the Western District of New York and elsewhere, the defendants and others, on numerous occasions did unlawfully and knowingly ship, transport, receive, possess, sell, distribute and purchase contraband

cigarettes, and the defendants did aid and abet others in conducting this illegal activity.

c) Contraband cigarette smuggling, in violation of 18 U.S.C. § 2342(b) and 18 U.S.C. § 2, in that, in the Western District of New York and elsewhere, the defendants and others, on numerous occasions did unlawfully and knowingly make and cause to be made, false statements and representations with respect to the information required by Title 18, United States Code, Sections 2341 through 2344, to be kept in the records of any person who ships, sells and distributes any quantity of cigarettes in excess of 60,000 in a single transaction, and the defendants did aid and abet others in conducting this illegal activity.

d) Mail fraud, in violation of 18 U.S.C. § 1341 and 18 U.S.C. § 2, in that, in the Western District of New York and elsewhere, the defendants and others, having devised and intending to devise a scheme and artifice to defraud the States of New York and Michigan of cigarette excise taxes, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, for the purpose of executing such scheme and artifice, and attempting so to do, on numerous occasions placed, and caused to be placed in a post office and authorized depository for mail matter, New York Forms CG6, which New York

Forms CG6 were thereafter to be sent and delivered by the Postal Service according to the directions thereon.

MANNER AND MEANS

During the aforesaid period, the object and purpose of the conspiracy was furthered by the defendants through the following manner and means, among others:

22. On numerous occasions, defendants MOHAMED KAID, ALI KAID, MOHAMED ABUHAMRA, ALI ABUHAMRA, HUMAISAN, ALAWI, SALEH ABDULLAH, ALI ABUHAMRA, JR., AWEDI, HAMDAN, BERRO, BARNETT, HAYDOUS, ALMOZAHMI, ALHAJAJI, AL-FIASALY, NASIR, ALSHUBILI, AHMED, MIKHA, DANIEL, NABIL ABDULLAH, MOHAMED ABDULLAH, ODEFA, RMZY ABDULLAH, NAGIB AZIZ, ALJEMAN, FNU AZIZ, and others, ordered numerous quantities of contraband cigarettes to be delivered by defendant A.D. BEDELL COMPANY, INC. and others, to a Native American smoke shop located on the Cattaraugus and Salamanca Indian reservation.

23. On numerous occasions, defendants MARTIN, EMKE, SNYDER, and A.D. BEDELL COMPANY, INC., and others, shipped, transported, distributed and caused to be shipped, transported and distributed, numerous shipments of contraband cigarettes to a Native American smoke shop located on the Cattaraugus and Salamanca Indian reservation, well knowing that the cigarettes were to be thereafter